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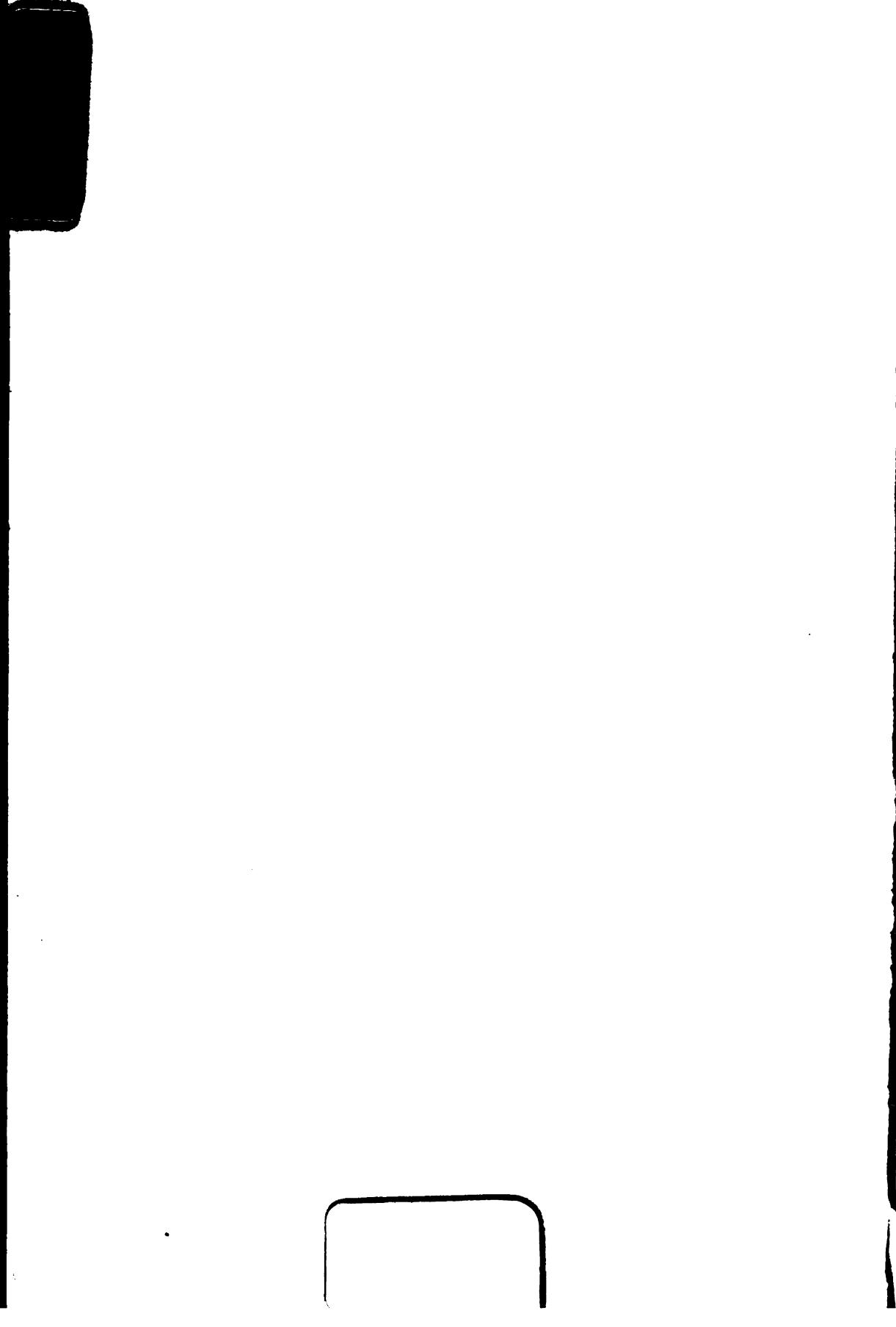
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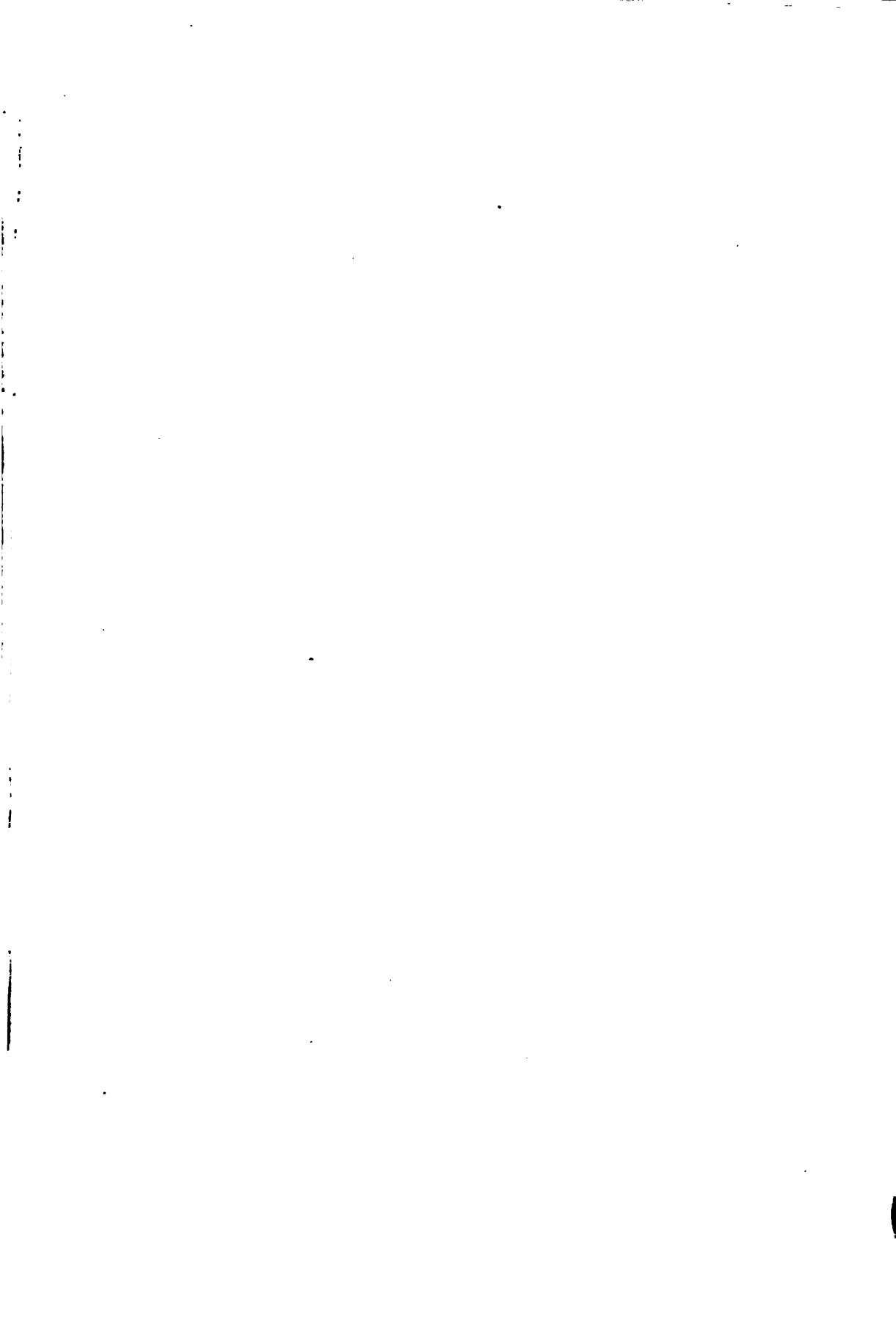
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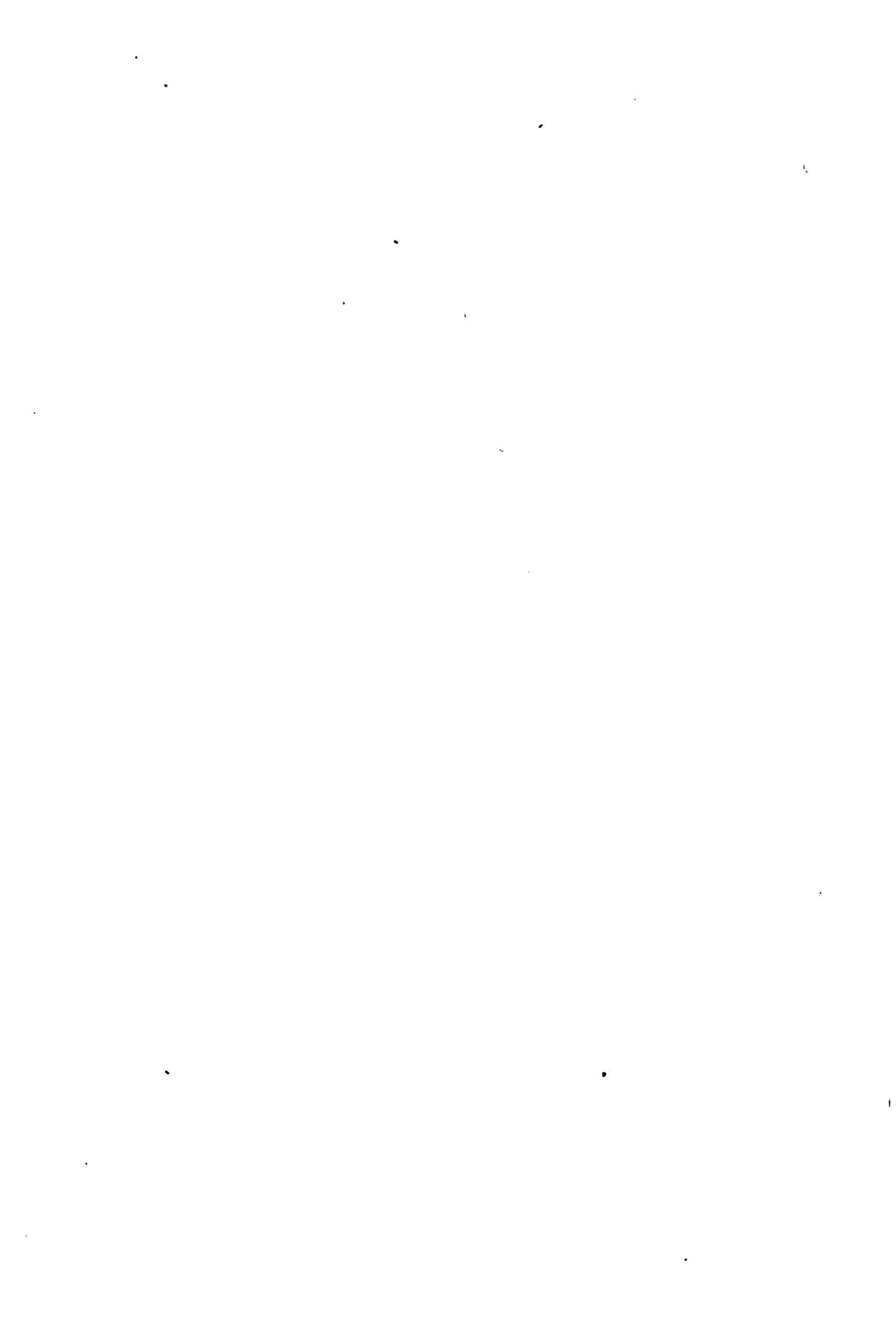
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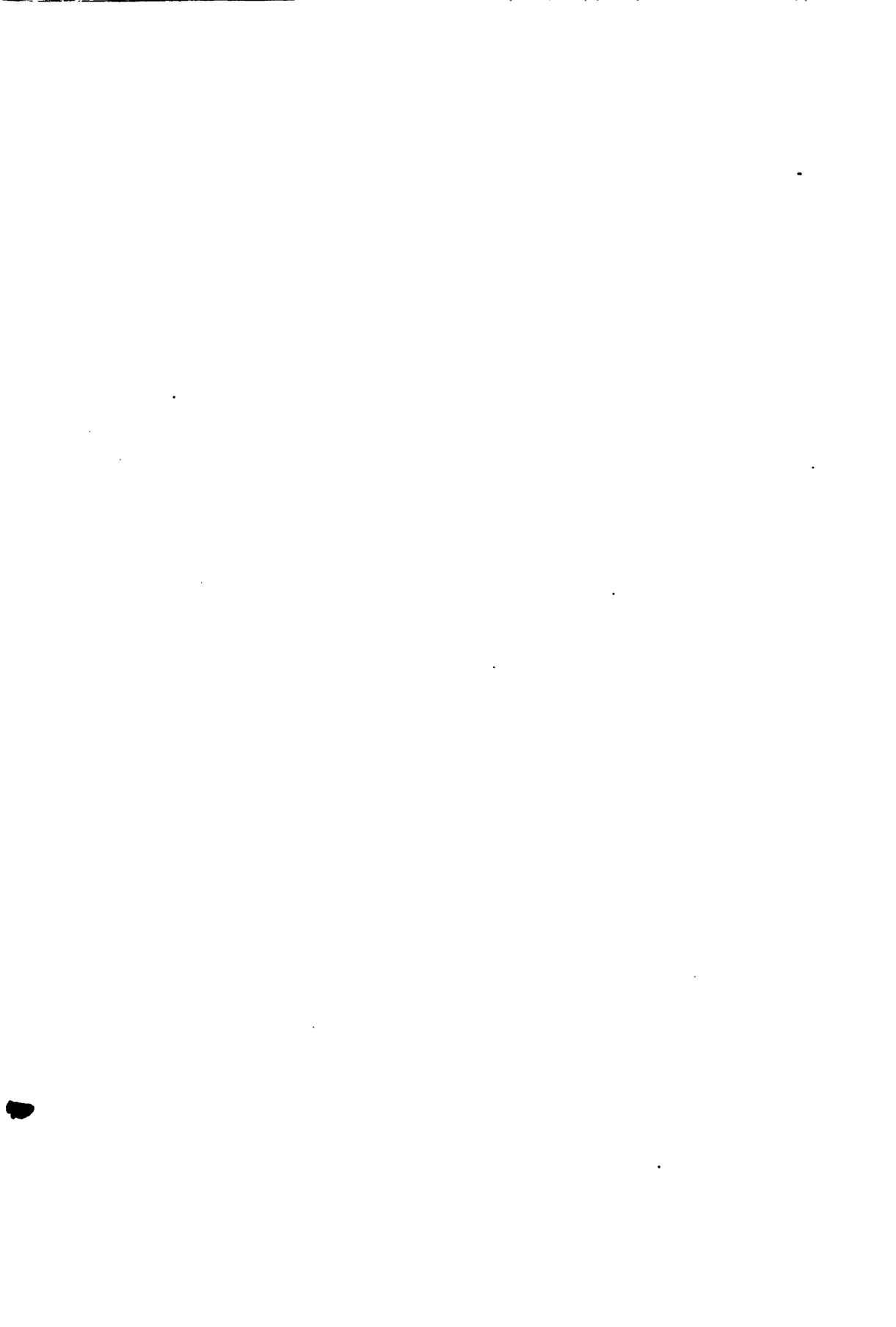
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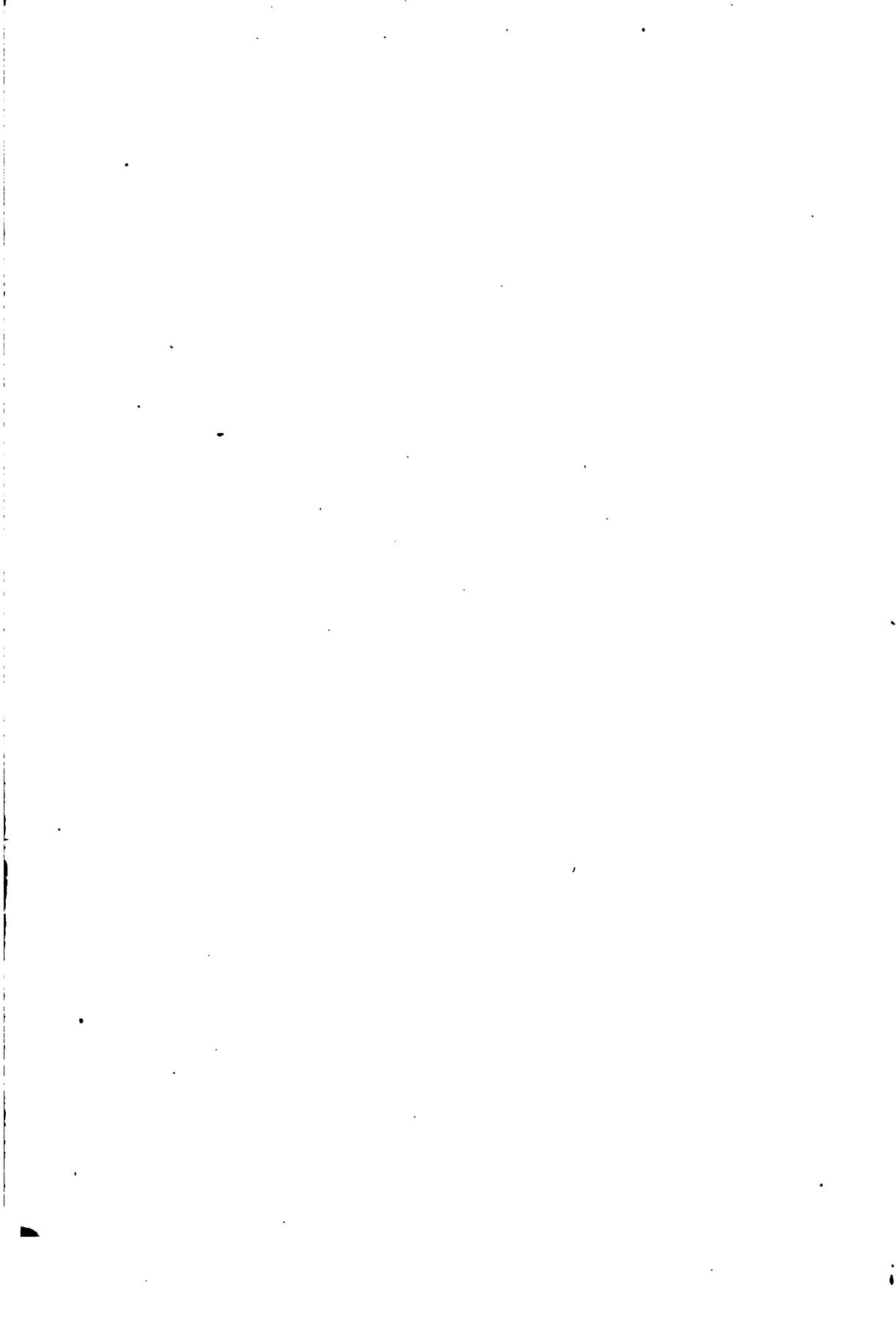
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RECORDS
OF THE
COURT OF ASSISTANTS
OF THE
COLONY
OF THE
MASSACHUSETTS BAY
(Colony) Court of Assistants.

1630-1692

PRINTED UNDER THE SUPERVISION OF

JOHN NOBLE

CLERK OF THE SUPREME JUDICIAL COURT

VOL. II.

BOSTON
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1904

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BOSTON**

PREFACE.

VOLUME I. of the Records of the Court of Assistants, covering the period from 1673 to 1692, was issued in 1901.

Volume II., now issued, takes in the period from the settlement of the Colony to 5 March, 1648-4.

This volume, though containing the records of a period earlier than that in the former volume, has been numbered Volume II. for the reasons given in the preface to the first volume.

Part I. is taken from the first volume of the Records of the Colony of the Massachusetts Bay in the State Archives, and has been printed, like the earlier volume, with an exact adherence to the originals, and is a reproduction of them in every particular, so far as the difference between print and manuscript will allow.

It has also been compared with a contemporaneous copy of the same (made by Thomas Lechford to 28 January, 1641), referred to below.

Part II. comprises a copy of a portion of the records of the Court of Assistants, extending from 28 October, 1641, to 5 March, 1648-4, recently discovered in the so-called Barlow Manuscript Copy, or duplicate, of the records of the Colony of the Massachusetts Bay, which was bought for the Boston Public Library in 1890. This was published by order of the City Council of Boston, by William H. Whitmore, Record Commissioner, in his Bibliographical Sketch of the Laws of the Massachusetts Colony.

In the record of the Court for 5 March, 1648-4, there are at the end three subsequent entries, the latest being 30 May, 1644.

The same exact adherence to the original has been kept as in Part I.

As stated in the preface to Volume I., these earliest records, thus preserved, are not, as has been often assumed, the complete record of the proceedings of the Court through those periods, as they contain substantially only criminal matters or matters of public concern. Civil suits do not appear therein, although it is evident that such suits were tried before this Court from the very first. This appears among other proofs from the entry under date of 4 March, 1683-4, on page 40 of this Volume II., mentioning a judgment against Joseph Twitchell. It also appears, from the numerous references to such causes, as early as 1689, in Lechford's Journal. See also the Order of the General Court, in 1684, as to the entry of Actions. (Mass. Col. Rec., Vol. I., p. 129.)

See, also, an Order of the General Court, carrying out a suggestion of Lechford in 1689, which was made at the September Session of the same year :

"Whereas many judgments have been given in o^r Courts, whereof no records are kept of the evidence and reasons whereupon the verdict and iudgment did passe, the records whereof being duely entered and kept would bee of good use for president to posterity, and a releife to such as shall have just cause to have their causes reheard and reveiwed, it is therefore by this Court ordered and decreed that henceforward every iudgment, wth all the evidence, bee recorded in a booke, to bee kept to posterity."

(Massachusetts Colony Records, i, 275.)

When Volume I. was issued it was proposed that the present volume should contain three parts, and expected that it would complete the records of this Court, so far as they were extant or could in any way be reproduced at the present day. It has been found, however, that Part III., described in the former preface, must contain such an amount of matter as would make, if included herein, an unwieldy volume, and delay the issue of this.

Part III., as heretofore designated, will accordingly be issued separately as Volume III., and at as early a date as possible.

PREFACE.

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It attempts, so far as material anywhere accessible allows, to fill the gap in the records between March 4, 1643, and March 4, 1673, a period where no continuous or consecutive record is to be found, and to reproduce, as far as may be possible, the doings of the Court of Assistants in these years.

It will consist of restored fragments of records taken from certified copies of judgments, verdicts, executions, etc., found among the Court Files of Suffolk, and among the files in the offices of the several counties; in the State Archives; among ancient manuscripts in the possession of the Massachusetts Historical Society, and in various other places, giving authoritative information as to the action of the Court of Assistants during that period. In some cases additional information obtained from contemporaneous sources, not easily accessible, will be added in notes to explain or amplify the record. These fragments of records relate largely to civil causes. Their value as historical material will be evident, and also in carrying out the purpose expressed in the preface to Volume I., of gathering matter for the study of the origin, development, and methods of procedure of this Colonial Court of ultimate resort and supreme jurisdiction, and as contributing to a study of the history of the Commonwealth and of its jurisprudence.

JOHN NOBLE.

SUPREME JUDICIAL COURT,
OFFICE OF THE CLERK,
JANUARY 1, 1904.



COURT OF ASSISTANTS.

**RECORDS, SO FAR AS RECOVERED OR REPRODUCED,
FROM 1630 TO 1644.**

[IN TWO PARTS.]



EXPLANATION OF MARKS AND CHARACTERS.

MARKS.

A mark over a letter indicates an omission of one or more letters.

A caret ^ indicates one or more words omitted in the original.

Brackets [] indicate words or letters in the original which are illegible or doubtful or apparently erroneous.

Parallels || enclose words interlined in the original.

CHARACTERS.

ff signifies ff or F.

ñ " ner, nor, or no.

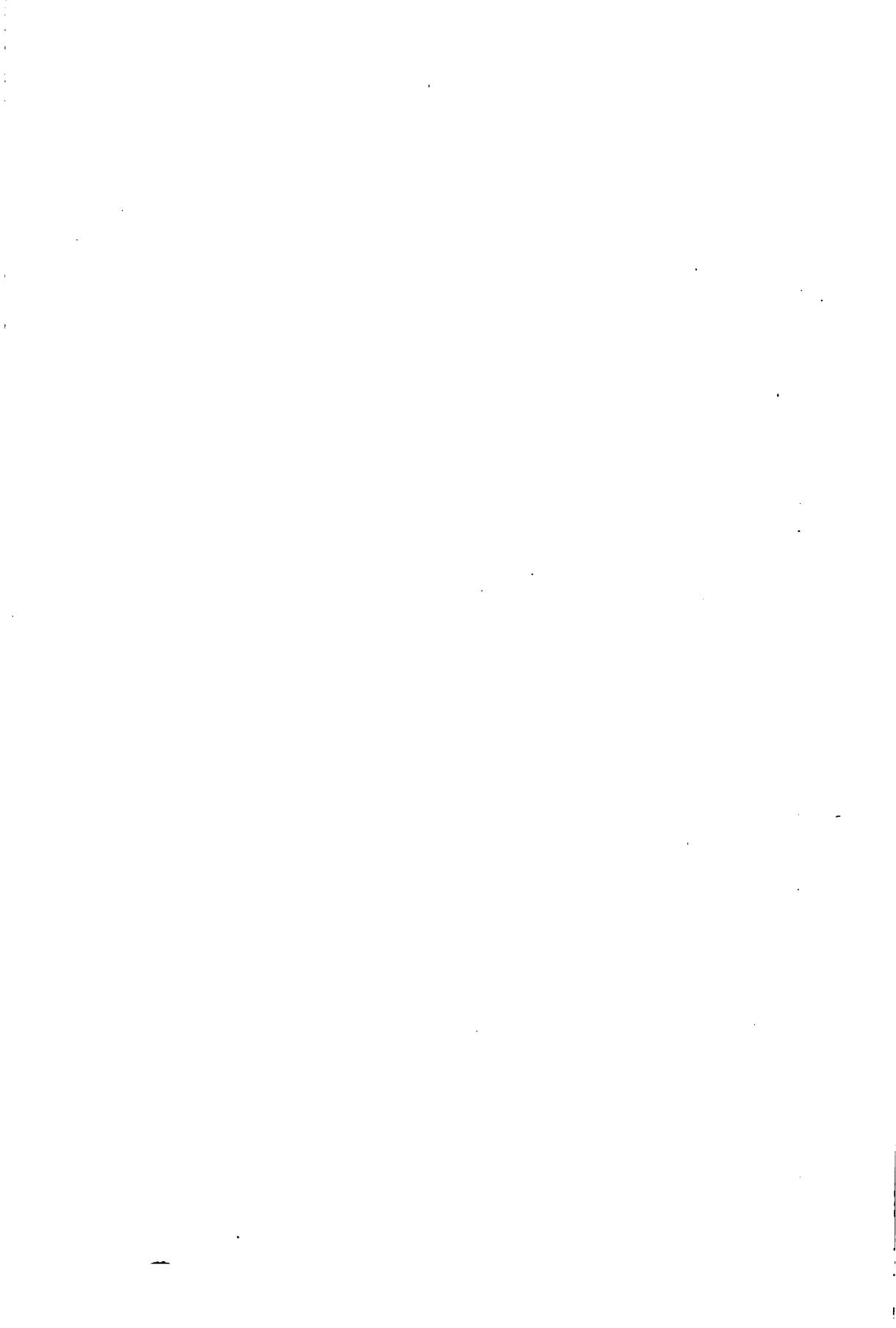
p " par or per.

q " por or pro.

þ " Per.

w " ver.

c " &c. (etc.)

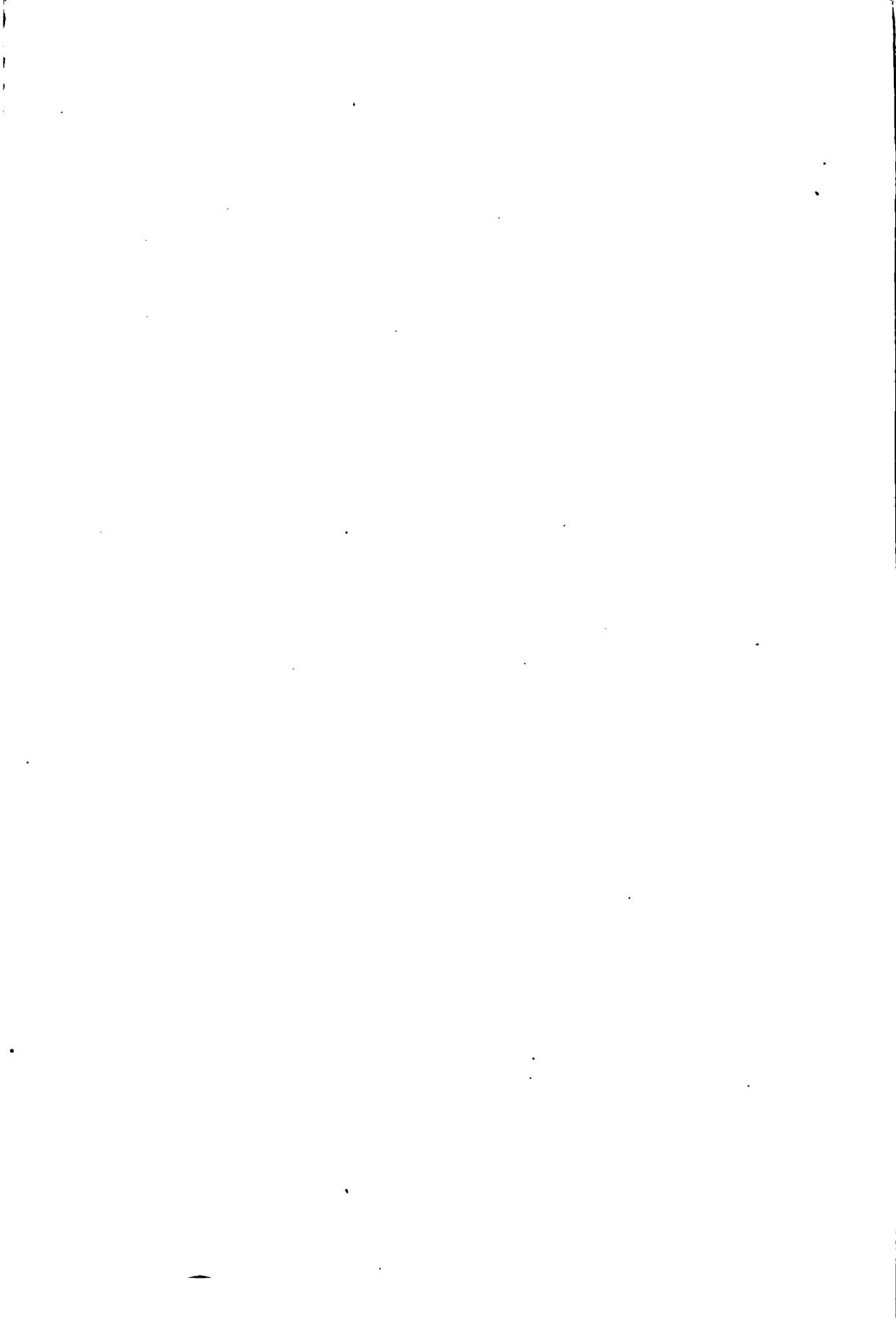


PART I.

COURT OF ASSISTANTS.

RECORD 1630-1641.

**FROM THE FIRST VOLUME OF THE COLONY RECORDS
IN THE MASSACHUSETTS STATE ARCHIVES.**



PART I.

1630—1641.

COURT OF ASSISTANTS RECORDS.

[*Taken from the first volume of the Records of the Colony of the Massachusetts Bay, in the State Archives, and compared with a copy thereof in the Boston Public Library (made by Thomas Lechford to January 28, 1641) which will, for convenience here, be referred to as the L. copy. Differences, other than unimportant literal ones, will be indicated by foot-notes. The original record is in the handwriting of Secretary Simon Bradstreet till May, 1636, and thereafter in the handwriting of Secretary Increase Nowell.]*

[55] The first Court of Assistants holden att Charlton August 23th
Año Dm 1630.

Present

M ^r . Jo: Winthrop Go ^m n'	M ^r . Increase Nowell
M ^r . Tho: Dudley Deput Go ^m n'	M ^r . Tho: Sharpe
S ^r . Rich: Saltonstall k ^t	M ^r . Will: Pinchion
M ^r . Robte: Ludlowe	M ^r . Sim: [†] Bradstreete
M ^r . Edward Rossiter	

Imp^r, it was gpoounded howe the ministers should
1.[‡] be mayntayned, M^r. Wilson & M^r. Phillips onely
gpoounded.

It was ordered that houses should be built for them with convenient
speede, att the publique charge. S^r. Rich: Saltonstall vndertooke to

* Roger is written in the margin in a modern hand. † "Simon" in L. copy.

‡ The marginal numbers and titles seem to have been entered in connection with some index or codification of laws and orders. Many of them are in the handwriting of Edward Rawson, the Secretary from 1650 to 1686. The marginal entries in the Library copy are different.

RECORDS OF THE COURT OF ASSISTANTS

see it done att his plantaçon for M^r. Phillips and M^r. Goūn^r att the other plantaçon for M^r. Wilson./

2. It was opounded what should be their p^rsent mainetenance.

Ordered that M^r. Phillips should haue allowed him 3 hogsheads of meale, 1 hogshd of malte, 4 bushells of Indean corne, 1 bushell of oate-meale, halfe an hundred of salte fishe, for apparell and other qvisions xx^l, or els to haue xl^l giuen him in money p anñ to make his owne qvisions if hee chuse it the rather, the yeare to begin the first of September nexte.

It. that M^r. Wilson should haue after xx^l p anñ till his wife come ouer, his yeare to begin the 10th of July nexte last all this to be att the comon charge those of Mattapan || & Salem || onely exempted./

3. It was opounded what should be M^r. Gagers main-tenance.

Ordered that hee should haue a house builded him against the nexte springe, is to haue a cowe giuen him & xx^l in money for this yeare to begin the 20th of June || (1630) || & after xxx^l p anñ. all this to be att the comon charge.

4. It was ordered that James Peñ should haue 20 nobles p anñ & a dayes worke of a man att springe from eûy able famly to helpe build his howse, his yeare to begin the 1st of September nexte. his employem^t to be as a Beadle to attend vpon the Goūn^r, and alwaies to be ready to execute his commands in publique businesses.

5. It was ordered that there should be a Court of Assistants helde att the Goūn^r howse on the 7th day of Septemb^r nexte being tuesday to begin att 8 of the clocke.

referred till the
nexte Court,/ It was opounded whither there should not be a Court helde eûy first tuesday in eûy moneth, & a Genall Court the last wednesday in eûy tearme./

6. It was ordered that, in all ciuill accions the first pcesses or summons by the Beadle or his deputy shalbe directed by the Goūn^r or Deputy Goūn^r or some other of the Assistants being a Justice of the peace, the next pcesses to be a capias or distringas att the discrecion of the Court./
process.

[56]

7. It was ordered that Morton of Mount Woolison should presently be sent for by process.

8. It was ordered that carpenters joyners bricklayers sawers* and thatchers shall not take above 2' a day, nor any man shall give more vnder paine of x' to taker & givere. and that sawers shall not take above 4' — 6' y' hundred for boards, att 6 score to the hundred, if they haue their wood felled & squared for them, & not above 5' — 6' if they fell & square their wood themselues./

9. It was ordered that the Gouern' & Deputy Gouern' Justices. for the tyme being shall alwaies be Justices of y' peace. and that S'. Rich: Saltonstall M'. Johnson M'. Endicott & M'. Ludlowe shalbe Justices of the peace for the p'sent tyme, in all things to haue like power that Justices of peace hath† in England for reformaton of abuses and punishing of offend'. and that any Justice of the peace may imprison an offend', but not inflict any corporall punishment' w/out the p'sence & consent of some one of the Assistants.

[10] 10. It was ordered that noe pson shall vse or take [2] boats. away any boate or Canoe without leaue from the owner thereof in paine of fyne & imprisonment, att the discrecon of the Court./

Memorand. to estimate the nexte Court day the charges y' M'. Gouern' hath beene att in entertaineing sevall publique psons since his landing in Newe England./

[57] A Court of Assistants holden att Charlton the 7th of September 1630.

Present

The Gouern'	M'. Nowell
Deputy Gouenor	M'. Coddington
S'. Rich: Saltonstall, k'	M'. Ludlowe
M'. Johnson	M'. Rossiter
M'. Endicott	M'. Pinchon
M'. Sharpe	M'. Bradstreete

Capt. Endicott beinge formerly chosen an Assistant did nowe take the oath of an Assistant in the presence of the Court.

* "Sawyers" in L. copy.

† "Have" in L. copy.

‡ "Any" in L. copy.

RECORDS OF THE COURT OF ASSISTANTS

Courts. It was ordered that eŷy third tuesday there should be a Court of Assistants helde att the Goŵno's howse (for the tyme being) to begin | att | 8 of the clooke in the morneing, eŷy Assistant not being present att that tyme to be fyned att the discrecion of the Court.

James Peñ did now take the oath of Beadle.

M'. Ludlowe M'. Rossiter & M'. Pinchon by the genall consent of the Court is* fyned a noble a peece for their absence from the Court after the tyme appoynted.

Thomas Morton
punished.† It is ordered by this present Court, that Thomas Morton of Mount Wolliston ‡ shall presently be sett into the bilbowes, & after sent prisoner into England by the Shipp called the Gifte, nowe returneing thith[er] that all his goods shalbe seized vpon to defray the charge of his transportacion, payem' of his debts, & to giue satisfaccon to the Indians for a Canoe hee vniustly tooke away from them & that his howse, after the goods are taken out, shalbe burnt downe to the ground in the sight of the Indians for their satisfaccon, for many wrongs hee hath done them from tyme to tyme./

It is ordered that M'. Clearke shall pay vnto John Baker the some of xxxvij^l in recompence, for the damage hee receaued by a bargaine of cloath, wherein M'. Clearke dealte fraudylently with the said John Baker as hath beene qued vpon oath.

[58] It is ordered that M'. Patricke & M'. Vnderhill shall haue allowed them for halfe a yeares qvision, 2 hogsheads of meale, 4 bushells of malte, 10^l of powder, & leade to make shott, also howseroome quided for them & 15^l 12^s in money to make other prouisions. all this to be done att the publique charge their yeare to begin from the tyme they begin to keep howse.

Boston, Dorchester,
& Water Tonue. It is ordered that Trimountaine shall be called Boston, Mattapan Dorchester, & the Towne vpon Charles Ryver Waterton. /

3- (3)
Plantations. It is ordered that noe pson shall plant in any place within the lymitts of this Pattent, without leaue from the Goŵn^r and Assistants, or the maior pte of them.

Also that a warrant shall presently be sent to Aggawam, to command those that are planted there forthwith to come away.

* "Are" in L. copy.

† In modern hand.

‡ "Wollaston" in L. copy.

OF THE MASSACHUSETTS BAY.

5

A Court of Assistants holden att Charlton 28th of Septemb^r 1630.

Present

The Gov ⁿ r	M ^r . Nowell
Deputy Gov ⁿ r	M ^r . Coddington
Capt. Endicott	M ^r . Bradstreete
M ^r . Ludlowe	M ^r . Rossiter
	M ^r . Pinchon.

1. It is ordered that those of Dorchester whoe bought certayne cattell of the merch^t of Dorchester, shall pay vnto Nich: Stower 9 bushells of meale or of Indian corne or 9^l of beau^r for the keepeing of the said cattell according to an agreem^t. made wth him.

4- 2. It is ordered that noe pson whatsoeu^r. shall either directly or indirectly, employ or cause to be employed or to their power permitt any Indian to vse any peece vpon any occa^con or pretence whatsoeuer, vnder paine of x^l fyne for the first offence & for the 2^{*} offence to be fyned & imprisoned att the discre^con of the Court./

5- (8)
Servants.

{ It is further ordered that noe serv^t. eith^r. man or maide shall either give sell or trucke any comodytie whatsoeu^r, without lycence from their maister dureing the tyme of their service vnder paine of fyne & corporall punishm^t. att the discre^con of the Court.

[59] John Woodbury is chosen Constable of Salem & Thom[as] Stoughton constable of Dorchester, to contynue in that office for a yea^r & after till newe be chosen.

John Woodbury did nowe take the oath of a Constable.

Strong waters seized on. It is ordered that all Rich: Cloughes stronge water shall presently be seazed vpon, for his selling greate quantytie thereof to se^wall mens serv^t which was the occa^con of much disorder drunckenes & misdemean^r.

6. Rates for Workm^a. It is ordered that noe maister carpenter mason joyner or brickelayer shall take aboue 16^d a day for their worke, if they haue meate and drinke, & the second sort not aboue 12^d a day vnder payne of x^l both to giuer & receauer./

It is ordered that M^r. Patricke & M^r. Vnd^rhill shall haue allowed

* "Second" in L. copy.

them 6^l 8^s in money to buy them howseholde stuffe, & for helpe to washe brewe & bake [xx]*

Thomas Gray is inioyned vnder the penalty of
Gray sent. x^l to attend on the Court in pson this day 3 weekes
to answer to dyvers things obiected against him & to remoue himselfe
out of the lymitts of this patt[ent] before the end of March nexte.

S^r. Rich: Saltonstall is fyndyng 4 bushells of malte for his absence
from the Court.

It is ordered that noe pson inhabitting within
6.
Corne. the lymitts of this Pattent shall either directly or
indirectly giue sell trucke or send away any Indian
corn to any Englishe without the lymitts of this Pattent or to any
Indian whatsoeuer without licence from the Goūm^r. & Assistants.

It is ordered that John Goulworth shalbe
Gouldsworth,
Pickrin, censr. whipped and afterwards sett in the stocks for fel-
lony comitted by him whereof hee is convicted by his
owne confession also that Henry Lyñ shalbe whipped for the like
offence, & John Boggust & John Pickrym to sitt in the stocks 4 howers
togaeth^r. att Salem for being access[ary] therenvnto.

It is ordered that there shalbe collected & lev-
ied by distresse out of the sevall plantaçons for the
For Cap^t Patrick &
Cap^t Und^rhill 50^s. maintenance of M^r. Patricke & M^r. Vnderhill the
some of 50^l, vz: out of Charlton 7^l Boston 11^l Dor-
chest^r 7^l Roctsbury 5^l Waterton 11^l Meadford 3^l Salem 3^l Wessaguscus
2^l Natascett 1^l.

It is ordered that Labourers shall not take aboue
Rates. 12^d a day for their worke, & not aboue 6^d & [meate &]
drinke vnder paine of x^s.

[60]

Septemb^r 28th 1630.

A Jury impanneld to inquire concerning the Death of Austen Bratcher.

Rich: Browne	Nich: Vpsall
Willm Aspynwall	John Johnson
Abraham Palm ^r .	Edward Converse
Nich: Stower	Ralfe Sprage
Peter Palfry	Giles Sexton
Roger Williams	Abraham Pratt
Willm Bunell —	Francis Smyth
	George Dyar —

* "XXI" in L. copy.

† "Bunnell" in L. copy.

Austen Bratcher dyeing lately att M^r Cradocks plantaçon was vewed before his buryall by dyv^m ps ons v^r —

Tho: Graues	Thomas Reade
James Crugott	Rich: Lynton
Thomas Ward	John Jarvis
Thomas Paynt ^r .	Arthur Ellis.
Willm Barsham	

} absent.

The Jureys Verdict

Wee finde that the strookes* giuen by Walter Palmer were occationally the meanes of the death of Austen Bratcher & soe to be man-slaught^r. /

Walter Palmer hath bound himselfe in 40l. & Ralfe Sprage & John Sticklett hath^t bound themselves in 20l a peece for Walter Palmers psonall appearance att the nexte Courte to be holden att Boston the 19th of Octob^r nexte to answer for the death of Austen Bratcher. /

[61]

September 18th. 1630.

Vpon vew of the dead body of Willm Bateman

An Inquisition taken att Charlton the 18th day of Sept^{br} Año Dñi 1630 before John Winthrop, Esq^r. & Goðn^r. & Isaack Johnson Esq^r. one of the Assistants & Justice of Peace

Vpon the oathes of

Walt ^r Norton Esq ^r .	Richard Browne
Nich: Stowre	Robt Hardinge
Ralfe Sprage	Richard Garrett
Will: Cheesebrough	Thomas Willms
John Stickland	Daniell
Rich: Norman	John Baker
	Willm Bateman

whoe say, vpon their oathes that the afores^d Willm Bateman was sett on shore vpon the necke of land neere Pullen poynte in the bay of Mattachusetts by a shallop of one M^r. Wright (which brought him from Plimouth) vpon wednesday last being very sicke & weake & beinge lefte there with one M^r Ralfe Glouer & others, whoe hadd a shallop in that place, but being forced to leaue her there because the

* "Stroakes" in L. copy.

† "Have" in L. copy.

winde was contrarie, they returneing home lefte him such qvisions as they hadd, & a & fire, but when they returned to their boate vpon Friday last they found the said Willm Bateman dead about the highwater marke neere their boate aboute a stones cast from the place where they lefte him — Soe the Jury p'sents that hee dyed by gods visitaçon.

Evidences, M^r. Ralfe Sprage Glouer Elias Maucke Giles Sexton & James Browne. C^r.

[On page 62 and 63 is a record of a General Court 19 Oct., 1630, and a list of those desiring to be made freemen. Page 64 is blank.]

[65] A Court of Assistants holden att Boston Nouemb^r 9th. 1630.

Present
The Go^rn^r
Deputy Go^rn^r.
S^r. Rich Saltonstall
Mr. Ludlowe
Capt. Endicott
Mr. Coddington
Mr. Pinchon
M^r. Bradstreete

It is ordered that whereas the vsuall rate of beau'r hath beeene after 6^d. the pound, it shalbe hereafter lefte free for eûy man to make the best gffit & imquem^t of it that hee can.

It is ordered, that eûy Englishe man Repealed. that killeth a wolfe in any p'te within the Lymitts of this pattent shall haue allowed him 1^d. for eûy beast & horse & ob.* for eûy weaned swyne & goate in eûy plantaçon to be leuied by the Constables of the s^d plantaçons.

It is further ordered that whoesoeuer shall first giue in his name to M^r. Goûn^r that hee will vndertake to sett vpp a fferry betwixte Boston and Charlton & shall begin the same att such tyme as M^r. Goûn^r shall appoynt, shall haue 1^d. for eûy pson & 1^d. for eûy 100 waight of goods hee shall soe transport.

M^r. Clearke is qhibited cohabitaçon & frequent keepeing company with M^r. Freeman, vnder paine of such company punishm^t as the Court shall thinke meete to inflict.

M^r. Clearke & M^r. Freeman hath bound themselues in xx^d apeece that M^r Clearke shall make his psonall appearance att the nexte Court to be holden in March nexte, & in the meane tyme to carry himselfe in good behav^r towards all people & espetially towards M^r. Freeman, concerneing whome there is stronge suspicon of incontinency.

It is ordered, that Rich Dify, serv^t to S^r. Richard Saltonstall shalbe whipped for his misdemean^r towards his maister.

* Obolus or half penny.

A Jury impannel[] for the Tryall of Walter Palmer concerneing the Death of Austin Bratcher.

M ^r Edmond Lockwood	Rich: Morris
Willm Rockewell	Willm Balston
Christopher Conant	Willm Cheesbrough
Willm Phelps	John Page
Willm Gallard*	John Balshe
John Hoskins	Laurence Leach

The jury findes Walter Palmer not guilty of manslaughter whereof hee stooide indicted & soe the Court acquitts him.

[66] A Court of Assistants holden att Boston Nouemb^r 30th 1630.

Present

The Gov ^r n ^r	M ^r . Nowell
The Deputy Gov ^r n ^r	M ^r . Pinchon
S ^r . Rich: Saltonstall	M ^r . Coddington
M ^r . Ludlowe	M ^r . Bradstreete.

~~S^r. Ri: Se: fnd 5.~~ S^r. Rich. Saltonstall is fyned v^l for whipping 2 seūall psons without the presence of another Assistant contrary to an act of Court formly made.

It is ordered that whoesoeuer employeth Willm Knopp or his sonne in any worke shall pay the one halfe of their wages ~~Ord: about W= Knop.~~ to S^r. Rich. Siltonstall, & whoeuer buyeth boards of them shall pay one halfe of the price to S^r. Richard, till the money hee hath disbursed for them be satisfyed.

~~Barth Hill cens.~~ John H^r Bartholmewe Hill is adiudged to be whipt for stealeing a loafe of breade from John Hoskins which himselfe confesseth.

It is ordered that there shalbe 60^l collected out of the seūall plantaçons followeing for the mainetenance of M^r. Wilson & M^r. Phillips, vz: out of Boston 20^l. Water-ton 20^l. Charlton 10^l. Rockesbury 6^l. Meadford 3^l. Winnett-semett 1^l.

~~Jn^e Baker cens.~~ It is ordered, that John Baker shalbe whipped for shooteing att fowle on the Sabbath day ~~C~~.

* " Gaylard " in L. copy.

It is further ordered that Thomas Moulton shall pay vnto M^r. Ralfe Glouer xl^s before the 8th day of Decemb^r nexte
 Tho Moulton sent. or els to be whipped for the wronge hee did M^r. Glouer in comeing from Plymoth being maister of his boate, & leauing him without a pylott.

[67] A Court of Assistants holden att Boston 1st of March 1630-31.*

Present

The Gouern ^r	M ^r . Pinchon
Deputie Gouvn ^r .	M ^r . Nowell
S ^r . Rich: Saltonstall	M ^r . Sharpe
M ^r . Ludlowe	M ^r . Coddington
Capt. Endicott	M ^r . Bradstreete.

It is ordered that M^r. Aleworth M^r. Weau^r M^r. Plastow M^r. Shut^r Cobbett[†] & Wormewood shalbe sent into England by the shipp
 Sev^rll persons sent Lyon, or soe many of them as the ship can carry the
 prisoners home. rest to be sent thither by the 1st of May nexte if
 there be optunitie of shipping, if not by the nexte
 shipp that returnes for England as ps ons vnmeete to inhabit here,
 & that S^r. Christopher Gardn^r. & M^r. Wright shalbe sent as prisoners
 into England by the shipp Lyon nowe returneing thither. /

Further, it is ordered, that the busines concerneing M^r. George
 Ludlowe expressed in a certaine petition sent out of England to the
 Ord^r about M^r Gouvn^r. C^r shalbe referred to t[he] Gouvn^r & Deputy
 Ludlow. Gouvn^r. & the rest of the Assistants resident att
 Boston (or some 3 of them the Gouvn^r [&] Deputie
 being 2 thereof) to receaue his answer, and determyne the busines.

M^r Tho: Stoughton, Constable of Dorchester is
 fined. fyndyng v^r for takeing vpon him to marry Clem^r Briggs
 & Joane Allen, & to be imprisoned till hee hath pd
 his fynde.

7 (4)
 Indian not to be
 traded wth in
 mony.

{ It is ordered that if any pson within the Lym-
 its of this Pattent, doe trade trucke or sell any
 money eith^r siluer or golde, to any Indian, or any man
 that knoweth of any that shall soe doe & conceale the
 same shall forfe[it] twenty for one —

* See Winthrop I. 38, 39, for meetings in December, 1630.

† "Mr. Cobbett" in L. copy.

Further it is ordered that whatever pson hath receau[ed] any Indian
 into their ffamylie as a serv^t shall discharge them-
 selues of them by the 1st of May nexte, & that noe
 pson shall hereafter intertwaine any Indian for a serv^t
 without licence from the Court.
 Indian not to be
 ent'reynd as serv^t

Nich: Knopp is fyned v^l for takeing vpon him to
 cure the scurvey by a water of noe worth nor value,
 which hee soldē att a very deare rate, to be imprisoned
 till hee pay his ffine or giue securitye for it, or els to be whipped &
 shalbe lyable to any mans acōn of whome hee hath receaued money for
 the s^d water.

[68]

Wellust sallary.

Jost Weillust is chosen survey^r of the ordinanc
 & cannouneere for which hee is to haue allowed him
 10^l p anfi.

Ellfords & suretys
 bond.

John Ellford hath bound himselfe in C mks, &
 Roger Connant & John Woodbury hath bound them-
 selues in 40^l a peece for John Ellfords psonall ap-
 pearance att the first Court to be holden in Novemb^r nexte to
 answeare for the death of Thomas Puckett.

M^r. Willm Pelham & M^r. Edmond Lockewood hath gmised to pay
 to the Court the soūe of v^l. for Nich: Knopp before the last Court of
 May nexte.

Att a Court att Waterton March 8th 1630-31.

Prsent

The Goūn ^r	M ^r . Nowell
Deputie Goūn ^r	M ^r . Pinchon
S ^r . Rich: Saltonstall	M ^r . Coddington
M ^r . Ludlowe	M ^r . Bradstreete.

Indians recompence
 for 2 wigwams,
 burnt by S^r. Et:
 Sal[:man]:

Vpon a complaynte made by Saggamore John &
 Pet^r. for haueing 2 wigwams burnt which vpon ex-
 aminaōn appeared to be occaōned by James Wood-
 ward serv^t to S^r. Rich: Saltonstall it was therefore
 ordered that S^r. Richard should satisfie the Indians for the wronge
 done to them (which accordinly hee did by giueing them 7 yards of
 cloath) & that his said serv^t. should pay vnto him for it att the end
 of his tyme the soūe of l^l.

Tho: Fox sent. It was ordered that Tho: Foxe serv^t to M^r. Cra-
docke shalbe whipped for vttering mallitious & scan-
dalous speeches, whereby hee sought to traduce the Court as if they
hadd taken some bribe in the busines concerneing Walter Palmer./

**Courts
legality.** Further (in regard the number of Assistants
are but fewe & some of them goeing for England) it
was therefore ordered that whensoeuer the number of
9 Assistants resident within the Lymitts of this Juris-
dicⁿon shalbe fewer then 9, it shalbe lawfull for the maior p^rte of
them to keepe a Court and whatsoe^u orders or acts they shall make
shalbe as legall & authenticall as if there were the full number of 7
or more.

[69] Att a Court of Assistants holden att Boston March 22th 1630-31.

Present

The Gouern ^r	S ^r . Rich: Soltonstall
The Deputie Gou ⁿ r	M ^r . Pinchon
M ^r . Ludlowe	M ^r . Sharpe
M ^r . Coddington	M ^r . Bradstreete.
M ^r . Nowell	

**Workmens wages
at liberty. Rates.** It is ordered (that whereas the wages of Car-
pent^r Joyners & other artificers & workemen were
by order of court restrayned to pticul^r somes), shall
nowe be lefte free & att libertie as men shall || reasonably || agree.

**Armes for all inhab-
itants to be provided.** Further it is ordered that e^vy Towne within this
Pattent shall before the 5th of Aprill nexte, take es-
petiall care that e^vy pson within their Towne (ex-
cept magistrates & ministers) as well serv^t as others,
be furnished with good & sufficient armes allowable by the Capt. or
other officers, those that want & are of abilitie to buy them them-
selues, others tha[t] are vnable to haue them pvided by the Towne for
the present, & after to receiue satisfacⁿon for that they disburse when
they shalbe able.

**Cards & dice
to be made away
w^e.** { It is likewise ordered that all ps ons whatsoeuer
(5) that haue cards dice or tables in their howses shall
make away with them before the nexte Court vnder
paine of punishm^r.

Johnson acknowledg^d of 13^l debt to
Sr: Rich.
shall pay vnto S^r. Richard out of his wages the s^d 2^l p week.

Crib, Cable, &
Trowent sent. to be
whipt.

It is ordered that Beniamyn Cribb John Cable & Morris Trowent shalbe whipped for stealeing 3 piggs of M^r. Ralfe Glouers.

Rich: Louge confesseth to owe vnto M^r. Ludlowe the some of 3^l — 18^s — 4^d. which hee promiseth to pay him after 2^l. p weeke till it be all satisfied.

It appeares by S^r. Rich: Saltonstalls note of disbursm^t that Willm Knopp owes him the some of 19^l v^t, as was evidenced to the Court by Richard Browne & Ephraim Childe being men indifferently chosen betwixte them to iudge thereof.

[70] A Court of Assistants holden att Boston Aprill 12th 1631.*

P^rsent,

The Gou ⁿ r	M ^r . Nowell
Deputie Gou ⁿ r	M ^r . Pinchon
M ^r . Ludlowe	M ^r . Bradstreete.

Watches, when to begin.

It is ordered that there shalbe a watch of 4 kept euy night att Dorchester & another of 4 att Waterton the watches to begin att Sunsett.

Disturbance of y^m
12 (6)

Further it is ordered that if any pson shall shoote of any piece after the watch is sett, hee shall forfeit 40^s. or if the Court shall iudge him vnable then to be whipped, the second fault to be punished by the Court as an offence of an higher nature.

13
Ammunition, euy man to provide.

It is likewise ordered, that euy man that findes a muskett shall before the 18th day of this moneth (& soe alwaies after) haue ready 1^{lb} of powder 20 bulletts & 2 fathome of match vnder penaltie of x^l for euy fault.— moderated 470 : †

Traininge once a week.

It is ordered that euy Captaine shall traine his companie on Saterday in euerie weeke.

* See Winthrop I. 52.

† This number, which is not in the Lechford copy, is a reference to an order of the General Court passed in June, 1641, and numbered 470 in the margin of the record. See Mass. Col. Records, Vol. I., p. 307.

Travellers not to go vñarmed. Further it is ordered that noe pson shall travell single betwixte theis plantaçons & Plymouthe nor without some armes though 2 or 3 togeath'.

A Court of Assistants holden att Boston May 3 1631.

Present

.The Goðn'	M'. Nowell
Deputie Goðn'	M'. Pinchon
M'. Ludlowe	M'. Bradstreete
Capt. Endicott	

It is ordered that Thomas Chubb shall be freed from the service of M'. Sam^{ll} Maðacke & shall become serv^t to Willm Gayllerd of Dorchester.

It is ordered that John Legge serv^t to M'. Humfry shalbe seuerely whipped this day att Boston, and afterwards soe soone as conveniently may be att Salem for strikeing Richard Wright when hee came to giue him correcçon for idleness in his maist^r worke.

[71]

Walford to dep^y y^e patent.

Tho: Walford of Charlton is ffyned xl^l. & is inioynd hee and his wife to depte out of the lymits of this Pattent before the 20th day of October nexte vnder paine of confiscaçon of his goods for his contempt of authoritie & confrontinge officers C^r.

Trespasses in corne, owners of cattle to pay. It is ordered that for this yeare if the cowes horses or goates of any mans in any plantaçon shall (Salem excepted) shall trespass & doe hurte in the corne of another, that the owner of the cattell shall make full satisfacçon for the damage done by them, & that all swine that are found Swyne forfeited C^r. in any mans corne shalbe forfeict to the publique, out of w^{ch} the p'tie damnyfied shalbe satisfied, if y^e swine soe forfeicted be of that value, if not the owner is to make full recompence in other goods.

Tho: Bartlets sent. It is ordered that Thomas Bartlett serv^t to M'. Pelham shalbe whipped for his vniust selling of his maisters tooles, & that Sam^{ll} Hosier & John Page shall returne either the tooles they bought of him or the prices thereof to M'. Pelham.

John Norman sen'. is ffyned x' for his not appearing att the Court being suïoned.

A Jury impannel'd to inquire concerneing an acēon of Battray com-
playned of by Thomas Dextor against Capt. Endicott
 Rich: Browne Henry Wolcott
 Willm Clearke Sam^u Hosier
 Alex: Wignall John Stickland
 John Dillingham Isaac Sternes
 John Gosse Daniell Fince
 John Johnson Edw: Converse.

The Jury findes for the plantiffe and cesses for damages xl^l.

[On page 72 and the beginning of page 73 is the record of a General Court 18 May, 1631. The rest of page 73 and pages 74 and 79 contain lists of freemen admitted from 1631 to 1634. Between pages 74 and 79 there were at the time the pages of the book were numbered two leaves paged 75, 76, 77, and 78. These are now in the first part of the original volume and are paged, beside the old paging, (1), (2), (9), and (10). The order in which Lechford made his copy, about the year 1640, indicates that these two leaves with other miscellaneous matter were then at the end of the original volume, and that the first pagination took place at a later date after these two leaves had been inserted between pages 74 and 79. In fact, the first numbering of the pages of the original seems to have been done by Rawson, the Secretary after Nowell. The leaf paged 75 and 76 contains the oaths for the governor and for the council. That paged 77 and 78 contains the "Answer" of John Pratt and the action of the court thereon. This has no date, but it appears from a mention of it by Winthrop, in his History of New England, page 173, to have been at a meeting of the Court of Assistants Nov. 3, 1635. It will be found below at the end of Part I.]

[80]

A Court holden att Boston June 14th 1631.

Present	16	It is ordered that noe man within the limitts of this Jurisdicōn shall hire any pson for a serv ^t for lesse time then a yeare, vnles hee be a settled housekeep also that noe pson w'soeuer shall trauell out of this
The Govr ⁿ	(8)	
Deputy Govr ⁿ	[sv ^t]	
Mr. Ludlowe		
Capt. Endicott		
Mr. Nowell	Licence.	pattent eith ^r by sea or land without leaue from the Govern ^r Deputy Govr ⁿ or some other assis- tant, vnder such penalty as the Court shall thinke meete to inflict.
Mr. Pinchon	17	
Simon Bradstreete.		

It is ordered that the Constables of the sevall plantaēons shall giue notice to the credit^r of Capt. Levett John Boggust & Henry Lauson to be att the nexte Court to make qfe of their debts that they may receiue satisfacōn for the same, soe farr as their goods will afford.

Vpon the reading of certaine Artickles concerneing a genall trade of beav^r agreed vpon by Capt. Endicott & dyv^s others. It was ordered that the ps ons interest_A therein shall giue a meeeting before the nexte

Court att such tyme & place as Capt. Endicott shall appoynct, to discide such differences as are betwixte them, & for such as they cannot end to bring them to the nexte Court there to be determined.

*John Maisters's.** M'. John Maisters hath vndertaken to make a passage from Charles Ryver to the newe Towne [12]† foote broad & [7] foote deepe for which the Court g̃misieth him satisfacon according as the charges thereof shall amount vnto.

It is ordered that Phillip Swaddon shalbe whipped for ruñng away from his maister Robt Seely, intending to goe to Virginia.

It is ordered that Phillip Ratliffe shalbe whipped haue his eares cutt of fyned 40^l & banished out of y^e lymitts of this Jurisdiccon, for vttering mallitious & scandalous speeches against the goðm^t & the church of Salem C^r, as appeareth by a pticul^r. thereof, qued vpon oath.‡

Licence. It is ordered that noe pson w^soeuer shall buy corne or any other g̃vision or merch^{ble} comodity of any shipp or barke that comes into this bay without leaue from the Goðn^r or some oth^r of the Assistants.

Chickataubut. Chickataubott is fyned a skyn of beau^r for shooteinge a swine of S^r. Rich: Saltonstalls.§

Jn: Browne g̃misieth payem^t. Willm Almy is ffyned ij^d for takeing away Mr Glouers canoe without leaue.

19 [Edw^d Converse un- dertake] to keep Charlestown Ferry. Edw: Converse hath vndertaken to sett vpp a fferry betwixte Charlton & Boston for which hee is to haue ij^d for eþy single pson & 1^d a peece if there be 2 or more.

It is ordered that M^r. Pelham shall pay vnto Tho: Goilthayt the soþie of v^l (whereof 5 nobles is already pd) w^{ch} the Court hath awarded him to pay to make good a covenant betwixte them.

[81] A Court of Assistants holden att Boston July 5th 1631.

P^resent, It is ordered there shalbe levyed out of the seðall plantaþons the soþie of thirty pounds for the making of the creeke att the Newe Towne, vz.: Wintsem^t 15^l Wessaguscus 40^l Saugus 20^l Natascett 10^l Waterton v^l Boston v^l Dorchester 4^l 10^l Roxbury 3^l Salem 3^l 15^l Charlton 4^l 10^l.

The Goðn^r
Deputy Goðn^r
M^r. Ludlowe
M^r. Nowell
M^r. Pinchon
S^r: Bradstreete.

20 Islands Further it is ordered that all the Ilelands within the Lymitts of this pattent vz. Conants Ileland

* In modern hand.

† "20" in L. copy.

‡ See Winthrop I. 56.

§ See Winthrop I. 56.

Noddles Ileland Tompsons Ileland togeath' with all other Ilelands
within the lymitts of our pattent shalbe apppriated to publique benefit
& vses, & to remaine in the power of the Gouvn' & Assistants (for the
time being,) to be lett & disposed of || by || them to helpe towards
publique charges, & that noe pson w'soeu' shall make any vse or benefitt
of any of the said Ilelands, by putting on Cattell, felling wood raise-
ing slate &c. without leauue from the Gouvn' & Assistants for the time
being. This order to take place imediately after the first of Octob'
nexte.

Asistants to make
summons.
21 (9)
Court.

It is further ordered that evy Assistant shall
haue power to graunt war^t. sumons & attatchm^t, as
occaſon shall require, & that the acts of the Court
shalbe authenticall if they passe onely vnder the Sec-
retaryes hand for y^e tyme being.

¶The Saggamore of Aggawam is banished from comeing into any
Englishe mans howse for the space of a yeaire, vnd' the penalty of 10
skins of beav'. ¶

Att a Court holden att Boston July 26th. 1631.

Prsent,
The Gov'r
Deputy Gov'r
Mr. Ludlowe
Capt. Endicott
Mr. Nowell
Mr. Pinchon
S: Bradstreet

[22] (10)

For the p'servaçon of howses hay
boards timb' & it was ordered that noe
pson whatsoeuer within the Lymitts of
o' Pattent shall burne any ground any
yeare till the first of March, vnder such
penalty as the Court shall thinke meete to
inflict; & if any pson be desirous to burne
any of his owne ~~corne~~ ground for corne
before that time, hee shall make full satis-
facçon for the damage it doeth in case any
be occaçon^d thereby. Altred & 442.*

Lucy Smith.

Lucy Smith. Roger Ludlowe for 7 yeares for-~~weh~~ dureing w^t
tyme hee is to finde her meate drinke & cloathes, & att the end of her
yeares to give her the some of v^l.

Watch

Watch. It is ordered that there shalbe a watch of sixe &
3. an off[i]cer] kept evy night att Boston, 2 whereof are
to be of Boston 2 of Charlton and 2 of Roxbury.

* This refers to an order of the Genl. Court passed Nov., 1639, and numbered 442 in the margin of the record.

4. It is further ordered that evy first thursday in Traineing. evy moneth there shalbe a genall traineing of Capt. Vnd'hills com[pany] att Boston & Roxbury, & evy first Friday in evy moneth there shalbe a genal traineing of the remaind' of them [that] inhabitt att Charlton Misticke & the newe Towne att [some] convenient place abouthe the Indian wigwams, the traineing to begin att one of the clocke in the afternoone.

[82.] It is ordered that Frauncis Perry shalbe whipped for his ill speeches & misbehav^r towards his maister.

M^r. Frauncis Aleworth is chosen Leifeten^r vnto Capt. Southcoate, & Capt. Southcoate hath liberty graunted him to goe for England promiseing to returne againe wth all convenient speede.

A Court of Assistants holden att Boston August 16th, 1631.

Present, The Gofn ^r Deputy Gofn ^r : Mr. Ludlowe Mr. Nowell Mr. Pinchon S: Bradstreete	Debts. 28 [11]	It is ordered that any bill assigned to another shalbe good debt to the pty to whome it is assigned, also that such debts due vpon bill shalbe pd before any other & that the pty that giueth such bills shall renewe them vpon demaund & deliwy in of the olde bill.
--	--------------------------	---

Shep. Cole
 Gibbings fined 5 mks a peece & Edward Gibbons xx^r for mks a peece. It is ordered that M^r. Shepheard and Robte Coles shalbe fyned 5 mks a peece & Edward Gibbons xx^r for abuseing themselues disorderly with drinkeing to much stronge drinke aboard the Frendshipp, & att M^r. Maudecke his howse at Winettsem^r. discharged, 409.*

Wignall. M^r. Alex: Wignall is fyned 5 mks for the like offence att the same time.

Garrets executors. It is further ordered that the execut^r of Rich: Garrett shall pay vnto Henry Harwood the some of 20 nobles, according to the gporcon that the goods of the said Rich: Garrett shall amount vnto.†

Swadden freedom. It is ordered, that Phillip Swaddon shalbe sett free from his maister Robte Seely vpon the payem^t of x^r to his maister.

M^r. Gennison, Ensl. M^r. Willm Gennison is chosen anchient to Capt. Pattricke.

* This refers to an order of the Genl. Court passed Sept., 1638.
 † See Winthrop I. 39.

A Court of Assistants holden att Boston Septemb^r 6th 1631.

Present,
The Gov^r
Deputy Gov^r
Mr. Ludlowe
Mr. Nowell
Mr. Pinchon
S: Bradstreete.

Gov^r Winthrop 600
[acres at] Mistick.

It is ordered that Henry Lyñ shalbe whipped and banished the plantaçon before the 6th day of Octob^r nexte for writeing into England falsely & mallitiouſly against the govn^t & execucon of Justice here.*

There is graunted to M^r. Govn^r 600 ac^r of land to be sett forth by mks & bounds neere his howse att Mistick to enioy to him & his heires for euer.

It is ordered John Dawe shalbe seuerely whipped for intiseing an Indian woman to lye wth him. Vpon this occaçon it is gþounded with^r adultery eith^r wth English or Indian shall not be punished wth death./ Referred to the nexte Courte to be considered of.†

[83] M^r. Alex: Wignall is fþined 40'. bound to his good behav^r & enioyned to remove his dwelling to some settled plantaçon before the last of May nexte, for drunkenes & much misdemean^r by him comitted att the plantaçon where nowe hee dwelleth.

A Court of Assistants holden att Boston Septemb^r 27th 1631.

Present,
The Gov^r
Deputy Gov^r
Mr. Ludlowe
Mr. Nowell
Mr. Pinchon
S: Bradstreete.

25

Rates.

It is ordered that Sawers shall not take aboue 12^d a scoore for boards if they have their wood felled & squared for them, & not aboue 7^d the hundred after 5 scoore to the hundred if they fell & square their wood themselues.

Willm Phelps is chosen constable of Dorchester.

It is ordered that Josias Plastowe shall (for stealeing 4 basketts of corne from the Indians) returne them 8 basketts againe be fþined v^l & hereafter to be called by the name of Josias & not M^r. as formly hee vsed to be, & that Willm Buckland & Tho: Andrewe shalbe whipped for being accessory to the same offence.‡

A Court of Assistants holden att Boston Octob^r 18th 1631.

Present,
The Gov^r
Deputy Gov^r
Mr. Ludlowe [26]
Capt. Endicott 12
Mr. Nowell
Mr. Pinchon
S: Bradstreete.

[18]

It is ordered that if any man shall have carnall copulaçon with another mans wife ~~be she Englishe or Indian~~ they [both] shalbe punished by death. [This was confirmed the first month 1637 or 1638.]§

* See Winthrop I. 61.

† See Winthrop I. 60, 61.

‡ See Winthrop I. 61.

§ This, which appears to have been written by Increase Nowell, is not in the L. copy.

The constable of Roxbury returnes the receipt of M^r. Shepheardes fine of 5 mks & soe it remaines in his hands to be accomptable for it. M^r. Goode is to haue 40^l of it w^{ch} hee pd for ferryeing the watch from Charlton to Boston.

27 It is ordered that Thomas Grayes howse att
Tho: Grays Marble Harb^r shalbe puld downe, & that noe Englishe
censure. man shall hereafter giue howseroom to him or inter-
quare.* taine him vnder such penalty as the Court shall thinke
 meete to inflicte.

28 It is ordered that there shalbe taken out of the
estate of M^r. Crispe & his company the some of xij^l
j^r v^d & deli^ded to John Kirman as his ^{pp} goods, & after the whole
estate to be Inventoryed, whereof the s^d John Kirman is to haue an
8th p^rte, this to be done with all convenient speede by theis 5 com-
ission^r or any 3 of them viz^r: M^r. John Masters M^r. Robte Feakes†
M^r. Edward Gibbons Epharim Childe Dan^{ll} Fynch ✓.

41 It is further ordered that corne shall passe for
Corn in payment. payem^t of all debts at the vsuall rate it is sold for ex-
cept money or beav^r be expressley named.

[84] Att a Meeteing of Assistants att Boston February the 3 1631.

Present,
The Gov^rn^r
Deputy Gov^rn^r
M^r. Ludlowe
Capt. Endicott
M^r. Nowell
M^r. Pinchon
S^r: Bradstreete
It was ordered, there should be three scoore
pounds levyed out of the sevall planta^rons within
the Lymitts of this Pattent towards the
Rate. pallascading makeing of a pallysadoe
aboute the newe Towne viz^r: Waterton & viij^l the
newe Towne iij^l Charlton vij^l Meadford iij^l Saugus &
Marble Harb^r vij^l Salem iiiij^l x^o Boston viij^l Roxbury vij^l Dorchester
vi^l Wessaguscus v^l Winettsem^t xxx^o.

Thomas Knowler hath bound himselfe in x^l to
Knowlers bond. make his psonall appearance att the nexte Court to
be holden att Boston the first Tuesday in March nexte to answer
to such things as shalbe objected against him./

* This marginal note is in the handwriting of Edward Rawson.

† "Feke" in L. copy.

‡ See Winthrop I. 70.

A Court of Assistants, holden att Boston March 6th 1632.*

29
 Present,
 The Gouⁿ
 Deputy Gouⁿ
 Mr. Ludlowe
 Capt. Endicott
 Mr. Nowell
 Mr. Pinchon
 S: Bradstreete
 30
 Armour to be
 prvided for by
 service, &c.

It is ordered that noe planter within the Lymitts of this Jurisdiccon returneing for England shall carry either money or beav^r with him wthout leave from the Gouⁿ (for the time being,) vnder paine of forfeitinge the money or beaver soe intended to be transported.

As an addiçon to an order made the 22th of March 1630 it is ordered that if any single pson be not prvided of sufficient armes, allowable by the Capt. or Leifeten's before the 10th of Aprill nexte, shalbe compelled to serue by the yeare with any maister that will retaine him for such wages as the Court shall thinke meete to appoynte.

It is ordered that Courts hereafter shalbe helde euy first Tuesday in euy moneth.†

Robert Coles.‡

It is further ordered that Ro^bt Coles of Roxbury shalbe fined xx^r for being drunke att Charlton in Octob^r last, & is inioyned to confesse his fault to the Court, (nowe committed in extenuateing his offence) the nexte Court & after att the Genall Court.

Tho: Knower hath bound himselfe in x^l to make his psonall [appearance] att the nexte Court to answer to such things as shall be obiected against him.

[85] A Court of Assistants holden att Boston Aprill 3 1632.§

Present,
 The Gouⁿ
 Deputy Gouⁿ
 Mr. Ludlowe
 Capt. Endicott
 Mr. Nowell
 Mr. Pinchon
 S: Bradstreete
 Catching foule.

Tho: Knower was sett in the bilbowes for threatening the Court that if hee should be punist, hee would haue it tryed in England whither hee was lawfully punished or not.

It was ordered, that noe pson w^soeuer shall att any shoote att fowle vpon Pullen Poynte or Noddles Ileland but that the s^d places shalbe reserved for John Perkins to take fowle wth nets.

Vpon Ro^bt Coles confession of his faulte committed the last Court in extenuateing of his offence of drunkenes the Court remitted his fyne & further confession enioyned him the last Court.

* See Winthrop I. 70, 71, for Meetings Feb. 17 and March 5.

† See Winthrop I. 71.

‡ In modern hand.

§ See Winthrop I. 72.

31 Sarah Morley is putt as an apprentice to M^r. Na-
thanaell Turner of Saugus for the space of nyne
yeares from this Court for w^{ch} tearme hee is to finde her meate drinke
& cloathing.

32
Conants
Iland, or Gouⁿ
Garden, gr'ted to
John Winthrop,
Esqr, Gour.

The Ileland called Conant's Ileland, with all the
lib'ties & previlidges of fishing & fowleing, was de-
mised to John Winthrop Esq^r the p'sent Gouⁿ for the
tearme of his life for the fine of fforty shillings & att
the yearlye rent of xij^d to be paid to the Treasurer

vpon the 25th day of March & it was further agreed,
& the said John Winthrop did covenant & gmise to plant a vineyard
and an orchard in the same, in consideraⁿon whereof the Court did
graunt that att the end of the said tearme the lease hereof should be
renewed to the heires or assignes of the said John Winthrop for one &
twenty yeares, payinge yearlye to the Gouⁿ, for the time being, the
fifth p'te of all such fruict & gffitts as shalbe yearlye raysed out of the
same, & soe the same lease to be renewed from time to time vnto the
heires & assignes of the said John Winthrop with the said reservaⁿon
of the said fifth p'te to the Gouⁿ for the time being, & the name of the
said Ileland was * changed, & is to be called the Gouⁿ Garden. pvided
that if the heires or assignes of the said John Winthrop shall att any
time suffer the said Ileland to lye wast, & not imque the same, then this
p'sent demise to be voide.

[86]

March 6th 1632.†

33
Charles Toune
& New Toune
bounds.

It is agreed vpon by the p'tyes whose names are
here vnderwritten By vertue of an order of Court fför
the appointed‡ & setting out the bounds of Charles-
Towne & Newe Towne,

First it is agreed that all the land impaled by Newe Towne
men with the necke therevnto adioyneing whereon M^r. Graues dwelleth
shall belonge to the said Newe Towne & that the bounds of Charles
Towne shall end att a Tree marked by the said pale, & to passe alonge
from that tree, by a straight lyne vnto the mydway betweene the
westermost p'te of the greate lott of land of John Winthrop Esq^r.
nowe Gouⁿ of the Englishe Colony in the Massachusettis, & the

* "Is" in L. copy.

† A similar entry will be found following the record of 7 Nov. 1632.

‡ "Appointing" in L. copy.

neerest p're thereto of the bounds of Waterton. In witnes whereof wee have herevnto sett o' hands the day & yeare aforesaid.

Tho: Mayhewe,
Nath: Turner,
George Alcocke.

[Page 87 is blank. Page 88 contains the record of the General Court May 9, 1632.]

[89] A Court of Assistants holden att Boston June 5th 1632.*

P'rsent
The Gov'r.
Deputy Gov'r.
Mr. Nowell
Mr. Pinchon
Mr. Ludlowe
Mr. Winthrop, Ju:
S: Bradstreete.

Compā goods secur'd.

36
200 acres of land gr^t
to Tho: Dudley,
Esq^r.

bever.
37

Also it is agreed that there shalbe a trucking
house appoynted in eūy plantaçon whither the
Indians may resorte to trade to avoide there comeing to seūall howses.

Josias Plastow
estat to be inqu'd
after.

There is a Comission graunted to M^r. Pinchon &
M^r. Maūicke Sen^r. to make inquiry & to take deposi-
tions of the creditors of Josias Plastowe & th[ere] wit-
nesses, that it may appeare what debts are oweing by him, & soe his
estate to be p'serued here till the nexte Court.

* See Winthrop I. 73, for meeting May 1.

† See Winthrop I. 79.

‡ This refers to an order of the Gen^r. Court, March, 1635, repealing the first order.

[90]

A Court holden att Boston July 3 1632.

Present
 The Go:rn:
 Deputy Go:rn:
 Mr. Ludlowe
 Capt. Endicott
 Mr. Pinchon
 Mr. Winthrop
 S: Bradstreete
 Mr. Newell.

Capt. Endicott being chosen an Assistant att the genall Court did nowe take an oath to his place belonging, in the p'sence of the Court.

It is ordered that Joist Weillust shall haue allowed him v^l towards his transportaçon into his owne Country whith^r. according to his desire hee hath free leaue to goe.

It is ordered that Thomas Dexter shalbe bound to his good behav^r till the nexte genall Court, & ffined v^l for his misdemean^r & insolent carriage & speeches to S: Bradstreete, att his owne howse also att the genall Court is bound to confesse his fault.

³⁸
 Jo: Endicotts land.* There is a necke of land lyeing abouete 3 myles from Salem cont. abouete 300 a^c of land graunted to

Capt. Jo: Endicott to enioy to him & his heires for euer called in the Indean tongue Wahquamesehock in English Birchwood, bounded on the south side with a Ryver called in the Indean toung Soewamapenesett, comonly called the Cowe ^{Mr. Endicotts farme.} Howse Ryver. bounded on the North side with a Ryver called in the Indean tongue Conamabsqnooncant, comonly called the Ducke Ryver. bounded on the East wth a Ryver leadeing vpp to the 2 form ryvers, wth is called in the Indean tongue Orkhussunt, otherwise knownen by the name of Wooleston Ryv. bounded on the west with the maine land.

³⁹
 Sam: Skelton. There is another necke of land, lyeing abouete 3 myles frō Salem cont. abouete 200 a^c graunted to M^r.

Sam^l Skelton to enioy to him & his heires for euer called by the Indeans Wahquack bounded on the south vpon a little Ryv^r called by the Indeans Conamabsqnooncant vpon the North abutting on another Ryver called by the Indeans Ponomeneuhcant & on the East on the same ryv^r also there is graunted to M^r. Skelton one a^c of land, on wth his howse standeth. & 10 a^c more in a necke of land abutting on the South ryver, vpon the harb^r Ryv^r on the north, vpon Willm Allens ground on the East & vpon M^r. Higgenson's ground on the west. likewise there is graunted to M^r. Skelton 2 a^c more of ground lyeing in Salem, abutting on the South ryv^r on the East vpon the Maine vpon the west, on Capt. Endicott's ground on the south & on John Sweetes ground on the North.

* In modern hand.

Bateman.* Willm Parks doeth p'mise if S'ieant Bateman comes noe more to satisfie M'. Pinchon w^t shalbe thought meete by 2 indifferent men for 3 leaden waights by him lost, & 12 p're of stockins w^t the said Bateman solde to M'. Pinchon for good ones but qued badd & moath-eaten./

[91] John Smithe is bound as an apprentice with M'. John Wilson for fyve yearees from this Court dureing w^t tearme M'. Wilson is to finde the said John Smyth meate drinke & appell, & att the end of the said time is to giue vnto him the soiñe of fyfty shillings.

Jn^e Smith bound to Mr. Wilson. It is likewise ordered that those goods w^t were sent ouer with the said John Smythe shall remaine in the hands of M'. Wilson for w^t hee is to be accountable to those y' sent them ouer.

**Bond for Appear-
ance.** Bryan Bincks & Peter Johnson hath bound them-selves ioyntly & seūally in x^l a peece that they shall not dept out of the Pattent w^tout leave from the Gōvn' & shalbe ready to attend vpon the Court, when they shalbe called to giue an account of their company goods.

John Smyth hath likewise bound himselfe in x^l to be accomptable for his companyes goods nowe Inventoryed & remaineing in his hands.

Drunkenes punisht. M'. James Parker is ffined xl' & bound to his good behav' till the nexte Court for his misdemean' and drunkenes committed aboard the Virginia shipp.

M'. Sam^{ll} Dudley is ffined xl' for the like offence att the same time.

**40
Military officers** It is ordered that the Capt. & Officers shall take especiall care to search all peeces that are brought care. into the feild for being charged & that noe pson w'soeuer shall att any time charge any peece of service w^t bulletts or shott other then for defence of their howses or att co[mau]nd from the capt. vpon such penalty as the Court shall think meete to inflict.†

[92] A Court holden att Boston August 7th 1632.‡

Present,
The Gōvn'
Deputy Gōvn'
M'. Ludlowe
M'. Nowell
M'. Pinchon
M'. Winthrop
S: Bradstreete

Vpon further consideraçon of Justice to be done vpon the murder of Walter Bagnall & vpon readeing a tre from those of Plymouthe being written in answer of a tre sent to them aboute it It is ordered that a boate shall be sent forth sufficiently manned with

* In modern hand.

† See Winthrop I. 80.

‡ See Winthrop I. 82 for meeting Aug. 3. See also I. 86.

comission to deale with the Plantaçon to the Eastward, & to ioyne with such of them as shalbe willing thereto, for examinaçon of the murder of the said Walter Bagnall & for app'hending of such as shalbe found guilty thereof, & to bring the prison's into the Bay it is referred to the Goŵn' to take order herein.

It is ordered that the remaind'r of M'. Allens stronge water, being estimated aboue 2 gallands shalbe deliûed into the hands of the deacons of Dorchest'. for the benefitt of the poore there, for his selling of it to dyv' peans tyme to such as were drunke wth it, hee knowing thereof.

It is ordered that James Woodward shalbe sett in the bill-bowes for being drunke att the Newe Towne.

There is ijⁱ of Knops fine of v^l remitted.

4. It is ordered that the Capt. shalbe mainetained by their seâwall companies.

41 M'. Willm Pinchon is chosen Treasurer for this yeare nexte ensueing, & till a newe be chosen./

A Court holden att Boston Sept. 4th 1632.

Present,
The Goŵn'
Deputy Goŵn'
Mr. Ludlowe
Capt. Endicott
Mr. Treasur
Mr. Nowell
Mr. Jo: Winthrop
S: Bradstreet.

It is ordered that Robte Shawe shalbe seuerely whipt for wicked curseing sweareing iustifyeing the same & gloryeing in it as hath been gved by oath.

John Stickland is ffined ijⁱ for his refuseing to watch att the Capt. co[mau]nds.

Saggamore John C^r quised against the nexte yeare ||& soe * euer after|| to fence their corne against all kinde of cattell.

Josuah Barnes is bound as an apprentice to M'. Paine for 5 yeares from his landing for 4^l p anñ wages and v^l att the end of his tearme to be paid to him by his said maister.

It is ordered † Willm Hamon shalbe sett in the bilbowes for being drunke.

M'. Turner is chosen Constable of Saugus for this yeare & till a newe be chosen, & did nowe take an oath to his place belonging.

There is order giuen to M'. Tres^r to pay 40^l to Richard Waterman for killing a woulfe aboute 2 monthes since in Salem plantaçon.

* "For" in L. copy.

† "Ordered that" in L. copy.

[93]

Capt. gallery.

There is likewise order graunted to M^r. Tresurer to pay Capt. Vnderhill & Capt. Patricke a quart's exhibicon.

Mr. Feake Leift.

M^r. Robte Feakes * is chosen into the place of leifeten^t to Capt. Patricke.

Hopkins sent.

It is ordered that Richard Hopkins shalbe seuerely whipt & branded with a hott iron on one of his cheekes for selling peeces & powder & shott to the Indeans. Hereupon it was gounded if this offence should not be punished hereafter by death referred to the nexte Court to be determined.†

A Court holden att Boston New. Octob^r 3 1632.

Pres^t,
The Go^mn.
Deputy Go^mn.
Mr. Ludlowe
Capt. Endicott
Mr. Treas^r
Mr. Novell
Mr. Wmthrop
S: Bradstreete.

Mr. Batchel^r
allens^t.

Bever trade.

[42?]

House for

beadle, e^r.of correcⁿon

& a house for the Beadle built

att Boston wth w^t

speede conveniently may be.

M^r. Treaser hath gmised to giue xxv^r for this yeare for his beav^r trade for wth his 12^d in the pound is remitted.

It is ordered that there shalbe a howse beadle, e^r. of correcⁿon & a house for the Beadle built att Boston wth w^t speede conveniently may be.

M^r. Batchel^r is required to forbear exerciseing

his guifts as a past^r or teacher publiquely in o^r Patent unlesse it be to those hee brought with him, for his contempt of

Auchtiority & till some scandles be removed.

It is agreed that the Beadle shall have viijⁱ exhibicon for this yeare.

It is ordered that James Woodward shalbe whipt for runing from his maist^r M^r. Gibbons, & absenting himselfe from his service, in recompence whereof hee shall doe him 6 weekes worke when his time comes out.

E: Burton find^t.

Edward Burton is ffined vⁱ for his contempt of auchtiority in refuseing to come to the Court being sumonid by the Go^mn^r and 40^s for drunkenes

43
Saugus to build
wear^t

It is ordered that Saugus plantaⁿon shall haue liberty to build a ware vpon Saugus Ryver, also they haue gmised to make & continually to keepe a good foote-bridge vpon the most convenient place there.

It is ordered that Alex: Miller & John Wipple shall giue iiijⁱ iiiij^d apeece to their maister Israell Stoughton for their wastfull expence of powd^r & shott.

* "Feake" in L. copy.

† See Wmthrop I. 88.

‡ In modern hand.

Leifeten^t Aleworth hath liberty graunted him to returne to England by the shipp Lyon.

⁴⁴ There is 60 ac^t of meadowe ground graunted to Simon Bradstreet. Simon Bradstreets in the marshe ground against the 60 acres. Oyster banke where hee shall chuse to inioy to him & his heires for euer.

[94] It is ordered that Nicholas Frost, for thefte by him comitted att Damerills Cove vpon the Indeans for drunkenes and fornicacion of all wth hee is convicted, shalbe fined v^t to the Court & xl^t to Henry Way & John Holman, shalbe seuerely whipt & branded in the hand with a hott iron, & after banished out of this Pattent, with penalty that if euer hee be found within the lymitts of the said Pattent, hee shalbe putt to death: also it is agreed that hee shalbe kept in boults by Henry Way & John Holman till his fines be paid, dureing wth time hee is to beare his owne charges.

Boston ys fittest place for meetings. It is thought by genall consent that Boston is the fittest place for publique meeTINGS of any place in the Bay.

It is ordered that from the 1st of March nexte evy pson shall satisfie for the damages his swine shall doe in the corne of another.

Tobacco prohibited. It is further ordered that noe pson shall take any tobacco publiquely vnder paine of punishm^t also that evy one shall pay j^d for every time hee is convicted for takeing tobacco in any place, & that any assistant shall haue power to reeave evidence & giue order for the levyeing of it as also to giue order for the levyeing of the officers charge this order to begin the 10th of Novemb^r nexte.

^{Geo: Dyar constable.*} George Dyar is chosen Constable of Dorchest^r for this yeare nexte ensueing & till a newe be chosen & did nowe take an oath to his place belonging.

A Court holden att Boston Novemb^r 7th 1632.

Present,
The Gou^rn^r
Deputy Gou^rn^r
Mr. Ludlowe
Mr. Tre^r ⁴⁶
Mr. Nowell
Mr. Winthrop
S: Bradstreete.

For preserva^con of good timb^r for more necessary vses It is ordered that noe man shall fell any wood for paleing but such as shalbe viewed & allowed by the nexte Assistant, or some whome they shall depute to doe the same, this order not to extend to ground that is or shall be assigned to pticul^r ps ons.

* In modern hand.

Differ betw Ch. &
New. refred.

47
Charlestown &
Newton.*

48

49

[95]

50
Committe abt Dor &
Rox bounds.

51
100 acrs to Mr.
Ludlow.

Jn^e Finch find.

Hen Lin find.

M^r. Mathewe Cradocke is ffined iiiij^d for his men being absent from
traineing dyvers times.

52
Cap^t. to traine but
one a mo.

S^r Ri^t: Salt amerst.
the hurt his cattell did him in his corne.

[53?]
No reward for kill-
ing woolues.

54
50 acres mea to Jn^e
Winthrop, Esqr.

It is ordered that the difference betwixte Charles-Towne & Newe-Towne ||for ground|| shalbe referred to M^r. Maūicke Jun^r. M^r. Alcocke M^r. Turner & John Johnson to vewe the ground wood & meadowe, & soe to sett downe the bounds betwixte them.

It is ordered that the necke of land betwixte powder horne hill & pullen poynte shall belonoge to Boston to be enioyed by the Inhabitants thereof for euer.

It is likewise ordered that the Inhabitants of Boston shall haue liberty to fetch wood from Dorchester necke of land for 20 yeares the g̃priety of the Land to remaine to Dorchester.

Capt. Traske M^r. Conant Willm Cheesebrough & John Perkins are appointed by the Court to sett downe the bounds betwixte Dorchester and Roxbury. Ralfe Sprage is chosen Vmpire.

There is 100 a^c of land graunted to M^r. Roger Ludlowe to inioy to him & his heires for euer lyeing betwixte Musquantum chappell & the mouthe of Naponsett.

John Finch is ffined x^d for wanting armes for his man & for being absent himselfe from traineing.

Henry Lynn is ffined x^d for absenting himselfe from traineing.

It is ordered that the Capt. shall traine their companyes but once a monethe.

It is ffurther agreed that S^r. Richard Saltonstall shall giue Saggamore John a hogshead of corne for

It is ordered that neith^r Englishe nor Indeans shall haue any more rewards giuen them for killing woolfes.

There is aboute 50 a^c of mead ground graunted to John Winthrop Esqr p'sent Gov^r lyeing betwixte Cobbeatts howse & Wanottymies Ryver.

* In modern hand.

55
Land to Jn^o Hum-
phry, Esq^r.

It is referred to M^r. Turner Peter Palfry & Roger Conant to sett out a porcion of land in Saugus for John Humfry Esq^r.

56
M^r. Phillips 30 lot.

M^r. Phillips hath 30 ac of land graunted him vpp Charles Ryver on the south side begininge att a Creeke a lyttle higher then the first Pynes, & soe vpwards towards the ware.

Robt Huit sent.

It is ordered that Robte Huitt & Mary Ridge shalbe whipt for comitting fornicacion togeather of w^{ch} they are convicted.

There is iiiij^l of Tho: Dexters fine of v^l forgiuen him./

6th M^ch 1632.

Charlestown &
Newtown bounds.

It was agreed by the parties appointed by the Court ~~er~~ That all the ground impaled by Newe towne men, wth the neck whereon M^r. Grave[s] his house standeth shall belong to Newe towne, & that the bounds of Charlestowne shall end at a tree m^rked by the pale, & to passe along from thence by a straight line vnto the midway betwixt the westermost part of the Governo^r greate lot, & the nearest part thereto of the bounds of Watertowne.*/

[96]

A Court holden att Boston March 4th 1632.†

Present,
The Go^r
Deputy Go^r
Mr. Ludiow^e
Capt. Endicott
Mr. Tre^r.
Mr. Nowell
Mr. Winthrop, Jun
S: Bradstreete

M^r. Dexters sent. for
reproaching ye
Court.

There is administracon graunted to Roger Ludlowe Esq of the goods and chattells of John Knight whoe disceased in Novemb^r last.

The Court hath reversed the last act
M^r. Batcheler against M^r. Batchel^r wth restrained him
at libert^y. from further gathering a Church wthin this
Pattent.

It is ordered that Thomas Dexter shalbe sett in the bilbowes disfranchized & fined xl^l for speakeing reghfull & seditious words against the Go^rm^t here established & findeing fault to dyv^r wth the acts of the Court sayeing

* This entry is in the handwriting of Increase Nowell. See also above before the record for June 6, 1632.

† See Winthrop L 96, 97, for Meeting of Council Nov. 23, and Meeting of Assistants Dec. 4, 1632.

this captious goūm' will bring all to naught adding that the best of them was but an Attorney C^r.

⁵⁷
Boston & Rox.
bounds.

neere therevnto.

Rate for cap'.
salary.

halfe a yeare.

S^r. Morris, ensign to
Cap^t. Vnderhill.

It is agreed that the bounds formerly sett out betwixte Boston & Roxbury shall continue, onely Roxbury to enioy the conveniency of the creeke

Boston is cessed v^r Charlton iiiij^r Roxbury vj^r

Waterton vj^r Newe-Towne vj^r Meadford iiij^r for the

maintenance of Capt. Vnderhill & Capt. Pattricke for

Thomas Wincall is ffined xx^r for drunckenes.

A Court holden att Boston Aprill 1st 1633.

Present,
The Goūr
Deputy Goūr
Mr. Ludlowe
Capt. Endicott
Mr. Treasurer
Mr. Nowell
S: Bradstreete

Edw Convs
allow for
ferryin
officers.

^{2.}
Agawam
planta.

There is xj^r v^d allowed to Edward Con-
verse for ferryeing Officers ouer the
Water.

It is ordered that noe pson w'soeuer
shall goe to plant or inhabitt att Agawam
without leave from the Court except those
that are already gone vz.: M^r. John Win-

throp Jun^r M^r. Clerke Robt Coles Thomas Howlett John Biggs John Gage, Thomas Hardy Willm Perkins M^r. Thordedike, Willm S^rieant.

3.

The price of corne formerly restrained to 6^r the
bushell is nowe sett at liberty to be solde as men can
agree.

⁵⁹
Noddles Island gited
to Mr. Mauericke
on rent.

Noddles Ileland is graunted to M^r. Sam^{ll} Maūdacke
to enioy to him & his heires for euer, yeilding & paye-

ing yearly att the genall Court to the Goūr for the
time being eith^r a fatt weather a fatt hogg or xl^r in

money, & shall give leave to Boston & Charles-Towne

to fetch wood contynually as their neede requires from the Southerne

pte of the s^d Ileland.

[97] ⁶⁰
50 acores to M^r.
Blackston.

It is agreed that M^r. [William] Blackestone
shall haue 50 ac of ground sett out for him neere
to his howse in Boston to inioy for euer.

Ezekiell Richardson is chosen constable of Charlton for this yeare
nexte ensueing & till a newe be chosen.

It is ordered that if any swine shall in fishing time come within
 Damage by swine. a quarter of a myle of the stage att Marble Harb^r that
 they shalbe forfeited to the owners of the s^d stadge &
 soe for all other stadges within theis Lymitts.

It is ordered that Joyce Bradwicke shall giue vnto Alex: Becke
 Joyc Bradwick the some of xx', for qmiseing him marriage wthout her
 fined 20. ffrends consent & nowe refuseing to pforme the
 same.

John Sayle being convicted of fellonyously takeing away corne &
 fishe from dyvers psons the last yeare & this, as also clapboards e^r is
 censured by the Court after this manⁿ: That all his
 61 estate shalbe forfeited out of w^{ch} double restitucon
 Jn^e Sayles sent. shalbe made to those whome hee hath wronged shalbe
 whipt & bound as a serv^t with any that will retaine him for 3 yearess
 & after to be disposed of by the Court, as they shall thinke meete.

John Sayle is bound with M^r. Coxeshall for 3 yearess for w^{ch} hee is
 61 to giue him 4^t p anⁿ: his daughter is also bound wth
 him for 14 yearess. M^r. Coxeshall* is to haue a sowe
 wth her, & att the end of her time hee is to giue vnto her a cowe calfe.

[Page 98 is blank. Page 99 has the record of a General Court May 29, 1638.]

[100]

A Court holden att Boston June 11th 1633.

Present,
 The Gov^r
 Deputy Gov^r
 Mr. Ludlowe
 Mr. Tre^r
 Mr. Nowell
 Mr. Coddington
 Mr. Winthrop
 S: Bradstreete.

Dixon in bil-
 boes.

Jn^e Pembton
 sent.

It is ordered that Willm Dixon shalbe
 sett in the bilbowes for disordering him-
 selfe with drinke.

It is likewise ordered that John Pem-
 erton shalbe whipt bound to his good be-
 hav^r, & enioyned to make his appearance
 att the nexte Court for comitting fornicacon with Eliz:
 Marson.

John Webb is sett at liberty from his maister Willm Parks.

There is leave graunted to Tho: Sellen to plant att Aggawam.

Thanksgiving.^t The 19th day of this moneth is appoynted to be
 kept as a day of publique thanksgivueing throughout
 the sevall plantacons, e^r.^t

g' s n - s - g - r - , r / §

* "Coggehall" in L. copy.

† In modern hand.

‡ See Winthrop I. 104.

§ These shorthand words, which are in the margin of the original record, may be con-
 jecturally rendered as follows:—

Gi[ve] out call soon. G[ive] on[e] to [].

[101]

Present,
The Govrn'
Deputy Govrn'
Mr. Ludlowe
Mr. Endicott
Mr. Tres^r
Mr. Nowell
Mr. Coddington
Mr. Wmthrop
S: Bradstreete.

[Rat: 160th.]
Govr. salary.*

Rob^t Allen find.

James White fined.

Jn^t Bennet find.

65
Non to sell wine,
&c. wth licensc.

John Bennett is ffined x^t for being drunke att
Marblehead.
It is ordered that noe pson shall sell either wine
or stronge water without leave from the Govrn' or
Deputy Govrn'. this order to take place a fortnight
hence & after the Constable of the same planta^con hath published the
same, & that noe man shall sell, or (being in a course of tradeing) giue
any stronge water to any Indean.

66
(18)
Fen: to pay damage
in case.

Alex: Wignalls
goods to be in-
vентoried.

67
Charle Towne
liberty.

A Court holden att Boston, July 2 1633.

M^r. Endicott being chosen an Assistant att the
Genall Court did nowe take an oath to his place
belonging.

64 M^r. Ludlowe M^r. Tres^r & M^r. Nowell
are chosen as committees to take an accompt
of the debts due to the Govrn' & to certifie the same
att the nexte Court that they may be discharged.

It is ordered that there shallbe Clⁱ ||150ⁱ|| giuen
to the Govrn' for † this present yeare towards his pub-
lique charges & extraordinary expences.‡

Rob^t Allen is ffined v^t for absenting himselfe
from Court being sumoned to be there as a wit-
nes c^r.

James White is ffined xxx^t for drunkenes by him
comitted att Marblehead on the Sabbath day.

John Bennett is ffined x^t for being drunke att
Marblehead.

It is ordered that noe pson shall sell either wine
or stronge water without leave from the Govrn' or

Deputy Govrn'. this order to take place a fortnight
hence & after the Constable of the same planta^con hath published the
same, & that noe man shall sell, or (being in a course of tradeing) giue
any stronge water to any Indean.

It is ordered that if any corne fence shalbe by
the inhabitants of the Towne iudged insufficient, &
the owner thereof forbeare mending of it more then
2 dayes after warneing giuen, the Inhabitants shall
mend the said fence, & the corne of the owner of the
said fence shalbe liable to pay the charges of the
mending thereof.

M^r. Woolridge & M^r. Gibbons are appoyncted to
Joyne wth M^r. Graues & M^r. Geneson§ to Inventory the
goods & chattells of Alex: Wignall.

It is ordered that the ground lyeing betwixte the
North Ryv^r & the creeke on the north side of M^r.
Maⁿacks & soe vpp into the Country shall belonqe to
the inhabitants of Charlton.

* In modern hand.

† See Wmthrop I. 105.

† "For" omitted in L. copy.

§ "Gennison" in L. copy.

Left Mason
recomp^d.

Order is giuen to the Tres^r to deliū to Leifeten^t
Mason x^l for his voyage to the Eastward, when hee
went about the takeing of Bull.

68
Tho: Lambe
liberty.

There is demised to Tho: Lambe of slate in slate
Ileand 10 poole towards the water side & 5 poole into
the land for 3 yeares payeing the yearely rent of ij^s vj^d

69
Ralf Glouⁿ good
adm^{td} on.

Administrācon is graunted to M^r. Mayhewe of the
goods & chattells of M^r. Ralfe Glover deceased C^r.

Swyne may be killed.
Swyne may be killed.

It is ordered that it shalbe lawfull for any man to
kill any swyne that comes into his corne, the p'ty that
owes the swyne is to haue them being kild, & allowe recompence for
the damage they doe C^r.

[102]

A Court holden att Boston August 6th 1633.

Present,
The Goⁿor
Deputy Goⁿor
Mr. Ludlowe
Mr. Tres^r.
Mr. Nowell
Mr. Coddington
Mr. Winthrop
S: Bradstreete.

M^r. John Woolridge is ffined l^s for
Woolrd find. distemping himselfe wth drinke aboard M^r.
Graues his shipp.

70
Cartbridg.
It is agreed that there shalbe a suffi-
cient cartbridge made in some convenient
place ouer muddy riuier & another ouer
Stony ryver, to be done att the charge of Boston &
Rocksbury. M^r. Coddington M^r. Colbran & M^r. Samford are chosen
to see it done for Boston, M^r. Tres^r Jehu Burr & John Johnson for
Rocksbury.

71
Ram goats restreined
It is further ordered that if any ram goate be found
amongst Ewe goates betwixte the first of July & 10th
of Novemb^r it shalbe lawfull for any man to sease on
him before witnesses, & to convey him to some safe place till the
said 10th of Novemb^r & then halfe of him is to goe to the publique
& the other halfe to the p'ty that seases on him this order to take
place on thursday nexte.

A Court holden att Boston Sep^t 3 1633.

Present,
The Goⁿor
Deputy Goⁿor
Mr. Ludlowe
Mr. Tres^r
Mr. Nowell
Mr. Coddington
Mr. Winthrop
S: Bradstreete.

Shatswell
find.
Rob^t Coles
find for
drunkeness.
See p. 107.*

John Shotswell is ffined xl^s for dis-
temping himselfe with drinke att Aggawam.

Rob^t Coles is ffined x^l: & enioyned to
stand wth a white sheete of pap || on his
back|| wherein a drunkard shalbe written
in greate ires, & to stand therewth soe longe

as the Court thinks meete, for abuseing himselfe shamefully wth drinke
intiseing John Shotswell, wife to incontinency & oth' misdemean'.

Walfords goods
sequestred, to
pay his debts.

It is ordered that the goods of Thomas Walford
shalbe sequestred & remaine in the hands of The
Ancient Gennison to satisfie the debts hee owes in
the Bay to sevall psons.

72
Russells estat
adm^{ed}.

Deceased August 26th 1633.

There is administra \mathfrak{c} on graunted to Willm Gallard & Willm Rockwell of the goods and chattels of
John Russell of Reeksbury Dorchester whoe dis-

Desbres estat
adm^{ed}.

Administra \mathfrak{c} on graunted to M^r. John Moody of
the goods & chattels of Thomas Desbre deceased, &
soe to remaine in his hands to be accomptable for

them.

Differenc. bet.
Dilling: &
Dexter referd.

Sept 8, 1633

[103]

Cap^t. Jn^r. Stones
sent

Pattent wthout leauue from the Gov^mt vnder the penalty of death.†

73
All hands
to Boston Fort
except, e^r.

Mr. Palmer.‡

Alex^r Wignall
find 10^l for dru.
quarr. & contempt.

Rich: Arnold
estat adm^{ed}
on.

Mr. Jn^r. Win-
throp, Jur, lib-
erty, e^r.

By consent of John Dillingham Richard Wright
& Thomas Dexter the differences betwixte them are
referd to M^r. Endicott & M^r. Nowell, & power is
graunted them by the Court to depose witnesses heare
& determine the said differences.

Capt. John Stone for his outrage committed in con-
fronting authority abuseing M^r. Ludlowe both in words
and behaviour \parallel assalting him & \parallel calling him a iust as *
 \parallel C^r is ffined C^l & prohibited comeing into within this

It is ordered (according to a former order att the
gen^{ral} Court) that e^{vry} hand (except magistrates &
ministers) shall afford there helpe to the finishing of
the ffort att Boston till it be ended.

M^r. Palmer is ffined x^l for absenting himselfe
being warnd to serue of a jury.

Alex: Wignall is ffined x^l for drunkenes quarrel-
ling breach of an order of Court & contempt of au-
thority.

Administra \mathfrak{c} on graunted to Willm Stitson of the
goods & chattells of Richard Arnoll of Wenetsem^t dis-
ceased.

There is liberty graunted to M^r. John Winthrop
Jun^r. & to his assignes to sett vpp a trucking howse,
vpp merrymak ryver.

* "A just asse" in L. copy.

† See Winthrop I. 111.

‡ In modern hand.

M^r. Jⁿ^r Bar-
croft^r ackn^d.

M^r. John Barcrofte doeth acknowledge to owe
vnto o^r So^maigne [the] the King the some of xlⁱⁱ & M^r.
Sam^{ll} Ma^macke the some of xxⁱ C^r. The condicon of
this recognizance is that Jane Barcrofte wife of the said John shall
be of good behav^r. towards all ps ons.

A Court holden att Boston Octob^r. 1th 1633.

The Gov^rn^r
Deputy Gov^rn^r:
M^r. Ludlowe
M^r. Treas^r
M^r. Nowell
M^r. Coddington
S^t: Bradstreete.

74
Absent from trayng.

M^r. Perkins &
Tho: Dexter
fined.
also it is ordered that Thomas Dexter shalbe
fined xxⁱ for the like offence.

It is ordered that S^rieant Perkins shall
carry 40 turf[es] to the ffort as a pun-
ished^r for drunkenes by him comitted.

It is ordered that if any trained sold[ier] shalbe
absent from traineing, vpon their traineing dayes
haueing lawfull warneing, shall forfeit v^r & that it
shalbe lawfull for one of the S^rieants appoynted by the Capt. of the
company to levy: vnles wthin 2 dayes after it be demaunded || ~~wthes~~ ||
the p^ty offending bring a certificate from the 'nexte Assistant that hee
had a necessary occaⁿon to be absent.

Octob^r 3, 1633.

Workmen wages
limitted

It is ordered that maister Carpenters, Sawers,
masons clapboard-ryvers bricklayers, tylars, joyners
wheelewigh[ts] mowers C^r shall not take aboue 2^d a
day findeing themselues dyett, & not aboue 14^d a day
if they haue dyett found them, vnder the penalty of v^r both to giuer
& receau^r for e^m day that there is more giuen & receaved also that
all other inferior workemen of the said occupaⁿons shall haue such
wages as the Constable of the said place & 2 other inhabitants that
hee shall chuse shall appoynt.

[104]

October 1st, 1633.

also it is agreed that the best sorte of labourers
shall not take aboue 18^d a day if they ~~have~~ dyett
~~found~~ themselues & not aboue 8^d a day if they haue
dyett found them vnder the aforesaid penalty both to giuer & receaver.

likewise that the wages of inferior labou^r shalbe referd to the
Constable & 2 other as aforesaid.

M^r. Taylours shall not take aboue 12^d a day & the inferior sorte
not aboue 8^d if they be dyeted vnder the aforesaid penalty & for all
oth^r worke they doe att home g^pconably & soe for other worke that
shalbe done by the greate by any other artificer.

⁷⁵ further it is ordered that all workemen shall worke the whole day alloweing convenient tyme for foode & rest this order to take place the 12th of this p'sent moneth.*

⁷⁶

(14)
Idlenes to be
punisht.

It is further ordered that noe pson howse houlder or oth', shall spend his time idely or vngifftably vnder paine of such punishmen' as the Court shall thinke meete to inflicte & for this end it is ordered that the Constable of ewy place shall vse spetiall care & deligence to take knowledge of offenders in this kinde, espetially of comon coasters vngifftable fowlers & tobacco takers & to p'sent the same to the 2 nexte assistants, whoe shall haue power to heare & determine the cause, or if the matter be of importance to transferr it to the Court.

In regard of the many & extraordinary mercyes day of Thanksgiving. w^{ch} the Lord hath beene pleased to vouchsafe of late to this Plantaçon vz. a plentifull harvest, Ships safely arriued wth ps ons of spetiall vse & quallity & it is ordered that wednesday the 16th day of this present moneth shalbe kept as a day of publique thanksgieuing through the sevall plantaçons.† And whereas it is found by comon experiance that the keepeing of Lectures att the ordinary howres nowe obserued in the fore-noone to be dyvers wayes p'judicall to the comon good, both in the losse of a whole day & bringing oth' charges & troubles to the place where the Lecture is kept.

⁷⁷

Times for lectures.

It is therefore ordered that hereafter all ||noe|| Lecture shall begin before one a clocke in the afternoonne.

It is ordered that there shalbe 400‡ collected out of the sevall plantaçons to defray publique charges vz.—

Boston . . .	48 ^l 00 ^m 00 ^d	Saugus . . .	36 ^l 00 ^m 00 ^d
Rocksbury . .	48 00 00	Salem . . .	28 00 00
Newe-Towne . .	48 00 00	Wenetsem ^t . .	08 00 00
Waterton . .	48 00 00	Meadford . .	12 00 00
Charlton . . .	48 00 00	Aggawam . .	08 00 00
Dorchester . .	80 00 00		
		Sum tot	412 ^l 00 00

* See Winthrop L. 116.

† "Plantations &c." in L. copy.

‡ So in the original.

[105] A Court holden att Boston Novemb^r 5th 1633

Present
 The Govrⁿ.
 Mr. Ludlowe
 Mr. Nowell
 Mr. Treasur^r
 Mr. Coddington
 R. Bradstreete.

80

2.
 Secret to name &
 submit juries 14 days,
 e^r

Price of corne 6^d p
 bush.

Ord^r ab^t swyne.

also that e^{wy} planta^con shall agree howe many swine e^{wy} pson
 may keepe winter & sum^r aboute the planta^con this order to take
 place 10 dayes hence.

81
 Mr. Rich: Browne
 allowed to keep a
 ferry.

Ensigne Morris dis-
 charged.

Sⁱleant Morris ||Stoughton|| is chosen Ensigne to Capt Mason.
 It is ordered that James Peñ the Beadle shall haue allowed him
 by the Tresurer the some of 30^l to builde a howse, w^{ch} is to be for his
 vse while hee remaines in the place of Beadle, & after
 82
 to be disposed of as the Court shall thinke meete.

[106] ~~Att a Meeteing of Assistants & some of the com[fitly]~~ att
 Boston January 17th 1633

Present
 The Govrⁿ.
 Deputy Govrⁿ.
 Mr. Ludlowe
 Mr. Treasur^r
 Mr. Nowell
 Mr. Winthrop

Novemb^r. 8th 1633.

83
Comodities to be
sold, not exceeding
4d per shilling profit.

Whereas by order of Court holden in Octob^r last the Wages of workemen were reduced to a certainety in regard of the greate extorcion vsed by dyvers ps ons of little conscience & the greate disorder w^{ch} grewe herewpon, by vaine and idle wast of much precious tyme, & expence of those imoderate gaynes in Wyne stronge water & other supfluities, nowe least the honest & conscientable workemen should be wronged or discouraged by excessiue prizes of those comodities, w^{ch} are necessary for their Life & comfort: Wee have thought it very iust & equall, to sett order also therein. Wee doe therefore hereby order, that after publique notice hereof, noe ps ons shall sell to any of the Inhabitants within this Jurisdiecon, any qvision, cloathinge, Tooles, or other Comodities above the rate of ffoure pence in a shilling, more then the same cost or might be bought for ready money in England Vpon paine of forfeiting the valewe of the thinge solde (Except Cheese w^{ch} in regard of the much hazard in bringing, & Wyne, Oyle, Vineger, & stronge Waters w^{ch} in regard of leakeing may be solde att such rates (qvided the same be moderate) as the buyer & seller can agree.)

And for Lynnen & other Comodities w^{ch} in regard of their close stowage, & small hazard, may be afforded att a Cheap rate, wee doe advise all men to be a rule to themselues, in keepeing a good Conscience assuring them that if any man shall exceede the bounds of moderation wee shall punish them seuerely.*

[107]

A Court holden att Boston March 4th 1634 1633.

Prsent,
The Gouvr.
Deputy Govr.
Mr. Ludlowe
Capt. Endicott
Mr. Tresurer
Mr. Nowell
Mr. Coddington
S: Bradstreete.

Mr. Dumer rat.

⁸⁴ It is ordered that all the Swamps con-
Swamps free. teyneing aboue 100 ac either belonging to
any Towne or not shall lye in comon for
any free inhabitant to fetch wood att seasonable tymes
w^{ch}out p*iudice* to the inhabitants where the same is,
(that swampe onely excepted lyeing within the Newe-
Towne pale towards the Bay.)

It is ordered that M^r. Dumer shalbe rated viij'
to the publique stocke viz^r v^l x for his estate in
Rocksbury & l^v in Saugus the Treasury is to lose the rest that hee
was rated in Saugus.

* See Winthrop I. 116.

Mr. Downing's cattle
to be rated.

The Court hath ordered that M^r. Dillingham
shalbe rated for the cattell hee is possessed of, of
M^r. Downeings.

Boston market.

It is ordered that there shalbe a markett kept att
Boston vpon eūy thursday the fifth day of the weeke.*

M^r. Turn^r, capt.

M^r. Nath^r. Turner is chosen capt. of the millitary
company att Saugus.

Sayles cens.

It is ordered that John Sayles † shalbe seuerely
whipt for runing from his maister M^r. Coxeall.‡

Twitchells releas.

It is ordered that v^l of the iudgem^t against Joseph
Twitchwell shalbe abated it appeareing to the Court
that Joseph Manning had not paid the same as was formly conceaveed.§

M^r. Morris, left.

M^r. Rich^r. Morris is chosen Leifeten^r to Capt.
Vnderhill.

85
Land not to be
bought of Ind.
without leaue.

It is ordered that noe pson whatsoeuer shall buy
any land of any Indean without leaue from the Court.

Tarlings cens.

Christopher Tarling is to be whipt for stealeing
victualls from his m^r. & for runing away.

M^r. W= Dennison,
constable.

M^r. Willm Dennison is chosen Constable of Rocks-
bury.

John Chapman is ffined xx^r for selling boards att 8^r p 10[0] con-
trary to an order of Court & is [remitted vpon gmise of 300 of 4 inch
planke towards the sea ffort.]||

~~It is ordered that evry Assistant shall move all newe comers (w^{ch}
have not adventured in the comon stocke) that they think fit to con-
tribute towards the Sea fort, & if they find any averse to desire the
helpe of the nexte Assistant, & yet if neede require to acquaint the
Court therew^r.~~

Rⁱ: W= fint.

Rich Williams is ffined xl^r for drunkenes committed
att Bowmans howse.

W= Cooley fint.

Willm Cooley is ffined 40^r for the like offence.

Tim^r Hawkins
& Jn^r Vauhan fined.

Tymothy Hawkins & John Vauhan ffined xx^r a
peece for mispending their tyme in company keepeing
strong drinkeing stronge water, & selling other
contrary to an order of Court.

* See Winthrop I. 125.

† "Sayle" in L. copy.

‡ "Coggeshall" in L. copy.

§ This entry is evidence that there was a record of the Court of Assistants in civil actions
distinct from the record in criminal cases and in matters of an administrative nature.

|| The words in brackets are written in the original in the margin.

Allowed to the witnes bound ouer to the Court to giue evidence against them v^e.

[108]

March 4th 1633
Edw^d Howe find.

Robt Coles dis-
franchis^d for drunk-
enes, & to weare
lett D.

It is ordered that Robt Coles for drunkenes by him commited att Roxbury shalbe disfranchized, weare about his necke & soe to hange vpon his outward garm^t a D: made of redd cloath & sett vpon white, to contynue this for a yeare & not to leave it of att any tyme when hee comes amongst company, vnder the penalty of xl^l for the first offence & v^l the second, & after to be punished by the Court, as they thinke meete, also hee is to weare the D outwards, & is enioyned to appeare att the nexte geñall Court & to contynue there till the Court be ended.*

Josiah † Harris put
aprentice to Fra
Weston.

Bounds between
Boston & Roxbury.‡

Josuah Harris is bound as an apprentice with Frauncis Weston for 5 years from this day his said maister findeing him meate drinke & cloathes.

Ensigne Stoughton Tho: Ford & Willm Felpes & Willm Galard are appoynced to sett out the bounds betwixte Boston & Roxbury wth is nowe in differ-
ence betwixte them.

86
Misticke Wajre to
Mr. Winthrop & Mr.
Cradock.

The Ware att Misticke is graunted to John Winthrop Esq^r p'sent Goñn^r & to M^r. Mathewe Cradocke of London merch^t to enioy to them & their heires for euer

87 Vpon consideraçon of the vsefullness of a moving
ffort to be builte 40 ffote wide longe & 21
ffote wide, for defence of this Colony & vpon the ffree offer of
some gentlem^m lately come^r ouer to vs of some large somes of money
to be imployed that way, it is thought fitt that this matter shalbe
moued to such men of ability as haue not borne their p'te in the greate
charges of the ffoundaçon of this Colony & for this end it is desired
that eûy Assistant shall vndertake the busines for treateing with such
as are within the Townes where they dwell & if they see fitt they may
desire some other of the Assistants to ioyne wth them.

There is xl^l promised M^r. Steuens for his care & expedit^{on} in this
worke to be pd when the worke is finished.

* See Winthrop I. 125.

† So in the original.

‡ In modern hand.

[109]

Gyven & qmised towards the Sea Fort

March 4 1633.

M ^r . Haynes	l ^l
Capt. Turner	x ^l
M ^r . Coxeall	v ^l
Rich: Wright 4 inch plancke .	400
John Chapm ⁿ 4 inch planke .	300
M ^r . Aspinwall	l ^l
John Johnson	xx ^l
M ^r . Nowell	iiij ^l
Frauncis Johnson	xl ^l
Josuah Hewes	xx ^l
James Peñ	xx ^l
M ^r . Willm Dennison	xl ^l
M ^r . Harding	iiij ^l
M ^r . George Alcocke	xl ^l
M ^r . Israell Stoughton to be pd within 9 or 10 monthes	xx ^l
M ^r . John Coggin *	v ^l
Tho: Reade	xx ^l
M ^r . Parker of Roxbury	l ^l
M ^r . Dumer	xxx ^l
Phillip Tabor, 4 inch plancke .	200
Garrett Church, 4 inch plancke,	200
M ^r . John Wilson	iiij ^l

144^l & 1100 4 inch pl.

[Page 110 is blank.]

[111]

A Court holden att Boston Aprill 1th [1634.]

[Present]
 The Govⁿ
 Deputy Govⁿ
 Mr. Ludlowe
 Mr. Endicott
 Mr. Treasurer
 Mr. Nowell
 Mr. Coddington
 Mr. Winthrop
 S: Bradstreete.

88
 Sam: Dud.
 Dan: Den.
 There is a thousand acres of land &
 greate p[ond] † graunted to John Haynes
 Esq^r fyve hundred ac^r graunted to Thomas
 Dudley Esq^r Deputy Govⁿ [three] hundred to M^r.
 Sam^{ll} Dudley & two hundred acres [M^r.] Daniell
 Dennison all lyeing & being aboue the falls [on the]
 Easterly side of Charles Ryver to enioy to them &
 [their] heires for euer.

* " Cogan " in L. copy.

† These places on pages 111 and 112, which are worn off and illegible in the original record,
 are filled out from the Lechford copy.

89
200 acrs to Mr.
Nowell.

There is Two hundred acres of land graunted to M^r. I[ncrease] Nowell lyeing & being on the westside of the North Ryv otherwise called the three myle brooke.

90
Mr. Oldham graunt.

There is fyve hundred acres of land graunted to M^r. Jo[hn] Oldham, lyeing neare mount feakes on the north-wes[t side] of Charles Ryver.

91
Imprvement of
farmes.

{ It is ordered that if any man that hath any greate quan[tity] of land graunted him & doeth not builde vpon it or imp[ve] within Three yeares it shalbe ffree for the Court to disp[ose] of it to whom they please.

92
Mr. John Wilsons
grant of his farme
of 200 acres.

There is Two hundred acres of land graunted to M^r. Jo[hn] Wilson pastor of the church of Boston lyeing nexte [the] land graunted to M^r. Nowell on the south & nexte Meadf[ord] on the north.

Jn^r Lee cens.

It is ordered that John Lee shalbe fined whipt & fined for calling M^r. Ludlowe false-hearted knave & hard-hearted knave heavy friend e[re].

Tho: Fox sent.

Thomas Foxe is fined x^l for want of appearance being sum to give evidence against John Lee.

Ro: Moulton const:
Charls.

Robt Moulton is chosen Constable of Charlton & sworne.

93
Mr. Stoughtons
liberty to build a
weare.
the thousand.

M^r. Israell Stoughton hath liberty graunted him to builde a Myll a Ware & a Bridge ouer Naponett Ryver & is to sell the Alewyves hee takes there att 5^l

94 (15)
Runaways to be
sent home.

{ It is ordered that if any boy (that hath bene whipt for runing frō his maister) be taken in any other plantaçon, not haueing a note from his maister to testifie his business there, it sh[albe] lawfull for the Constable of the said plantaçon to whip him a[nd] send him home.

M^r. Jn^r Tilley
estat admstred on.
There is power graunted to M^r. Ludlowe & M^r. Coggin * to inventory & take into safe keeping the goods & chattells of M^r. John Tilley to satisfie such debts as hee owes † in y^l B[ay]

The price of corne is lefte at liberty to be solde as men can a[gree]
M^r. Chester hath bound himselfe in x^l to appeare at the nexte [Court] to be holden in June to answer to such things as shalbe objected against him.

* "Cogan" in L. copy.

† "Owes" in L. copy.

Garrett Church & Phillip Tabor hath bound themselues [in] xl^l a
peece to appeare then to giue testimony agst M'. Ch[ester] for selling
comodities contrary to order.

⁹⁶
Ilands granted
t[o Boston.] Long Iland, Deere Iland & Hogg Iland graunted
to Boston for [21 years] for the yearly rent of ij^l* to
be paid [to the Treasurer upon the] first day of the
second [moneth commonly called April]

[112]
["] 1634 It was further ordered that eūy man of or
above the age of Twenty yeares whoe hath bene or
shall hereafter be resident within this Jurisdiccon by
the space of Sixe monethes as an householder or
Soldier ||scoiorner|| and not infranchised shall take
the Oath herevnder written before the Gōvn^r or Dep-
uty Gōvn^r or some Two of the nexte Assistants, whoe
shall haue power to convert him for that purpose, and
vpon his refuseall, to binde him ouer to the nexte
Court of Assistants: where ||And|| vpon his refuse-
all the second tyme hee shalbe banished, except the
Court shall see cause to giue him further respite†

[96?]
(16)
[Res]idents oath.

The Oath.

I doe heare sweare and call god to witnes that being nowe an in-
habitant within the Lymits of this Jurisdiccon of the Massachusetts, I
doe acknowledge myselfe lawfully subiect to the Auctoritie and
gouerm^t there established, And doe accordingly submitt my pson family
and estate to be g̃tected ordered, & gouerned by the Lawes & consti-
tuçons thereof. And doe faithfully gmise to be from time to time
obedient and conformeable therenvto and to the Auctoritie of the
Gōvn^r, & all other the magistrates there, and their success's, and to all
such lawes orders sentences & decrees as nowe are or hereafter shalbe
lawfully made decreeed & published by them or their success's. And I
will alwayes indeav^r (as in duty I am bound) to advance the peace &
wellfaire of this body politique, and I will (to my best power &
meanes) seeke to devet & prevent whatsoeuer may tende to the ruine
or damage thereof or of y^e Gōvn^r Deputy Gōvn^r or Assistants or any of
them or their success", And will giue speedy notice to them or some of
them of any sediçon, violence treacherie or oth^r hurte or euill w^{ch} I
shall knowe heare or vehemently suspect to be plotted or intended

* "Three pounds" in L. copy.

† See Winthrop L. 128.

against them or any of them, or against the said Comon-wealth or goðm' established. Soe helpe mee God.

[113]

97

(17)

Assurance of lands.

It was further ordered that the Constable & [foure] more of the cheife inhabitants of eûy Towne (to be chosen by all the ffree men there, att some meeteing there) with the advise of some one or more of the nexte Assistants shall make a surveyinge of the howses backeside corne feildes moweing ground, & other lands imgved or inclosed or graunted by speciall order of y^e Court of euery ffree inhabitant there, & shall enter the same in a booke (fairely written in words att lenght & not in ffigures) with the seðall bounds & quantities by the neerest estimaçon, & shall deliuer a transcript thereof into the Court within sixe monethes nowe nexte ensueing, & the same soe entered and recorded shalbe a sufficient assurance to eûy such ffree inhabitant his & theire heires and Assignes of such estate of inheritance or as they shall haue in any such Howses Lands or Franketenem's.

The like course shalbe taken for assurance of all Howses & Towne-Lotts of all such as shalbe hereaft Enfranchised, & eûy sale or graunt, of such Howses or Lotts as shalbe from time to time entered into y^e said booke by the said Constable & foure Inhabitants or their success^s, (whoe shal be still supplyed vpon death or removeall,) for which entry the purchaser shall pay sixe pence, & the like sume for a Copyy thereof, Vnder the hands of the said surveyers or Three of them. See [s^r] 190.*

[The next two pages are marked 112^a and 113^a and contain lists of freemen 1634-5. Pages 114 to 118 contain the General Court record of May 14, 1634.]

[119]

A Court holden at Newe Towne June 3 1634.

Present The Gov ^r Deputy Gov ^r Mr. Winthrop, Senr Mr. Haynes Mr. Tresurer Mr. Pinchon Mr. Nowell Mr. Winthrope† S: Bradstreete.	Order as to Jno Bursly ^s lames
--	---

Eltweed Pumery sworne constable of Dorchester.

Whereas Thomas Lane late serv^t to John Burslyn, by the qvidence of god is fallen lame & impotent, & hath since remayned att Dorchest^r, where hee hath bene chargeable to that plantaçon, & like soe to contynue, it is therefore ordered that the Inhabitants of Wessa-

* This is a reference to the order of March 4, 1634-5, on page 139 of the original record, which is marked in the margin 190.

† "Jun" in L. copy.

gucus shall send to Dorchester for the said Thomas Lane, & shall pay for all the charges they haue beene att in keepeing him dureing his aboade att Dorchest'.

M'. John Winthrop Jun^r being chosen an Assistant att the last genall Court did nowe take an oath to his said place belonging in presence of the Court.

~~Rob^t Fibbins releas~~ By consent of Willm Gallerd t adñstrat' to John Russell & Robte Fibbin it is ordered that in consideraçion of some service pformed att Sea by the said Robte Fibbin & 3 monthes servis in Newe England, that the said Robte Fibbin shalbe sett free, & haue 1^l 13^s 5^d forgiuen him w^{ch} hee ought to his said maist' John Russell./

~~Damag donne by y^e swyne of Charls Toune~~ M'. Thomas Mayhewe is intreated by the Court to examine what hurt the swyne of Charlton hath done amongst the Indean barnes of Corne on the north side of misticke, & accordingly the inhabitants of Charlton gmiseth to give them satisfacçion.

~~Ord^r ab^t Ralph Glouers estate~~ M'. Thomas Mayhewe being adñstrat' of M'. Ralfe Glouer, hath nowe exhibited an Inventory of the said estate into the Court, there is therefore day giuen till the first tuesday in August nexte for the Creditors of the said Ralfe Glouer to make their demaunds of such debts as are due to them, or els the said estate shalbe devided betwixte those that then comes in the other to be excluded.

[120] A Court of Assistants holden att Newe Towne July 1st 1634.

Present		
The Goðn ^r	Rob ^t Way to	It was ordered that Robte Way shall
Deputy Goðn ^r	continue w th	remaine with Ensigne Gennison till hee
Mr. Winthrop	Eusign Genni- son, &c.	make it appeare to the Court that hee hath
Mr. Haynes		lawfully assigned him to some other, hee
Mr. Endicot		confessing hee was assigned to him by his maist' Way.
Mr. Treasurer	We. Almy	Willm Almy is fyned x ^l for not ap-
Mr. Pinchon	fined.	peareing att the last Court being sumond
Mr. Nowell		& is inioyned to bring to the nexte Court an Inventory of the goods
S: Bradstreete		hee receaved of Edw: Johnson, duely prized by indifferent men.

Dorobester to pay 3^l It is ordered that the Tresurer shall pay vnto the for Tho: Lane. Deputy Goðn^r & some other the Inhabitants of Dorchester the some of Three pounds, being charges they haue bene att with Thomas Lane an impotent pson.

* " Gaylard " in L. copy.

Isack Allerton fined. It is ordered that M^r. Isaack Allerton shall pay the some of xl^l to M^r. Willm Dennison for charges of l in l suyte abouete a debte of an hundredth pound.

New Townes addition of accommodation by meadows. It is further ordered that the Inhabitants of Newe Towne shall inioy the meadowe on the north side of y^e pond (Except that w^{ch} John Chapmⁿ hath already mowen) & after to be decided by the genall Court to whome it shall belonget.

Differences betwene Jn^r Tilley, M^r. Marryner, & Jn^r Coggan referd to a committ. By consent of M^r. Marryner his company & John Tylley the difference betwixte them is referred to John Winthrop Sen^r. Esq^r. M^r. Willm Peirce M^r. Thomas Beecher & M^r. Stagg, also the difference betwixte M^r. John Coggin * & John Tylley for money payde by M^r. Coggin * to the shippes company, by their consent is refered to the p^rties before men^cioned as likewise the difference betwixte John Tylley & Henry Cogan is referd to the p^rties aforesaid —in this reference there is a bill of 33^l of Jo. Tylley agst. excepted.

[121] A Court holden att Newe Towne August 5th 1634.

Present,
The Go^rrn^r
Deputy Go^rrn^r:
M^r. Winthrop, Sen^r.
M^r. Haynes
M^r. Humfry
Mr. Endicott
Mr. Treasurer
Mr. Geddington
Mr. Pinchon
Mr. Nowell
S: Bradstreete.

It was ordered that Wednesday the 20th of this moneth shalbe kept as a day of publique Day Thanks. thanksgivueing throughout the sevall plantacions for the safe arriueall of shippes and passengers this sumer C^r.†

It is ordered that Aggawam shalbe Ipswich. called Ipswitch.†

It was witnessed vpon oath that James Rawlens tooke xvij^d aday & meate and drinke for 10 dayes worke, for one of his serv^{ts} for weedeing corne, contrary to an order of Court & therefore is to pay 5^l for e^vry day hee hath soe transgressed.

Jn^r Humphry,
Esq^r sworne.
John Humfry Esq^r being chosen an Assistant att the last genall Court did nowe take an oath to his place belonging in presence of the Court.

Rich^r Cornish.
Rich Cornishe hath bound himselfe in x^l for his wyves psonall appearance att the Court † in Octob^r [next] to answer to such things as shalbe objected against her.

* " Cogan " in L. copy.

† See Winthrop I. 137.

‡ " To be holden " in L. copy.

Frauncis Godson find.

Frauncis Godson hath bound himselfe in x¹ for his psonall appearance att the Court to be holden in Octob^r nexte to answer for breach of an order of Court for in taking to greate wages e^r.

Sam^{ll} Hosier chosen & sworne Constable of Sam: Hosier, const^{ll}. Waterton.

Kathe: Gray to be whip^t, e^r:

It was ordered that Katherine Gray shalbe whipt for her filthy & vnchast behav^r wth Thomas Elkyn.

R: Hitchcock bound ouer to ye Court.

Rich Hitchcock hath bound himselfe in xx¹ to make his psonall appearance att the Court to be holden the first tuesday in Octob^r nexte to answer to such things as shalbe objected against him.

Widdō Bosworth^b prouision.

It was ordered that such moneyes as shalbe layde out for the mainetenance of Widd: Bosworth & her famly shalbe payde againe by the Treasurer.

Rob: Way to abide wth Edward Burton.

Whereas it was made knownen to the Court that Robte Way was lawfully assigned by Ensigne Jennison to Edward Burton it was therefore ordered that the said Burton shall keepe the said Way according to covenant.

M^r. Aspinwalls oath to be taken, e^r.

John Humfry Esq^r. & M^r. Increase Nowell was desyred by the Court to take depositions of the witnesses of M^r. Aspinwall in a case betwixte S^r Willm Brewerton * Ba[r] & the said M^r. Aspinwall.

[Pages 122 to 131 contain the General Court record for Sept., 1634. Page 132 is blank.]

[133] Att a Court, holden at Newe Towne, Octob^r 6th, 1634.

Prsent

The Gofn^r
Deputy Gofn^r
Mr. Wlthrop
Mr. Haynes
Mr. Endicott
Mr. Pinchon
Mr. Nowell
Mr. Wlthrop Jr.
Mr. Bradstreete.

Ensigne Jen-
nison.

It is ordered that Ensigne Jennison shalbe ffyned the so^me of xx¹ for vpbraydeing the Court with Iniustice, vttering theis words I pray god deliuer mee from this Court professing hee had wayted from Court to Court & could not haue iustice done him — e^r.

Mr. Crafords
goods invento.

It is ordered that Leueten^t Feakes,† M^r. Rich: Browne M^r. Pendleton & Epharim Childe shall take an Inventory of the goods & chattells of M^r. Crawford lately diseased & returne the same into the nexte Court.

* "Brereton" in L. copy.

† "Feke" in L. copy.

Damage in Thos Richards corne.

It is ordered that M^r. Hull, Willm Gallerd * Eltweed Pumery M^r. Willm Hill & M^r. Willm Haythorne shall haue power to heare & determine the sevall trespasses that hath bene done, by the swine of sevall psons, in the corne of Thomas Richards, as also for the charge hee hath bene att in keepeing his corne & for other charges incident therenvto.

Clement Brig^r find for entg^r Indean.

Clem^r Briggs is ffined x^r for intertwaineing an Indean without leauue & is enioyned forthwith to discharche himselfe of him.

Kir[k]mans dafig.

John Kirman tooke oath hee was sumond by Rich: Kent to appeare this day att the Court to answer him in an ac^ron of trespass & nowe qsecutes not, soe the Court hath giuen him x^r damage.

Jn^r Lees cens. for reproaching y^r Gournor.

It is ordered that John Lee shalbe whipt & ffyned xl^r for speakeing repchfully of the Go^rn^r sayeing hee was but a Lawer's clerke, & what vnderstanding hadd hee more then himselfe, also taxeing the Court for makeing lawes to picke mens purses, as also for abuseing a mayde of the Go^rn^r's pretending love in the way of mariage, when himselfe professes hee intended none, as also for intiseing her to goe with him into the cornefeild C^r.

Sam: Hall find for drunk.

Sam^r Hall is ffined v^r for drunkenes by him committed a shipboard himselfe freely confessing his offence.

Rt: Lambert's bond forfeited.

Rich: Lambert hath forfected his bond of x^r wth bound him to appeare att this Court. And it is ordered that Beniamin Gilham & Robte Walker shall haue v^r apeece allowed them, being witnesses sumoned to appeare./

John Humfry, Esq^r. is deputed by the Court to take deposic^rons of the witnesses to the will of Willm Payne lately disceased.

[134]

Agawams damag. by Charls Towne swyn.

Vpon a Complaynt of y^r Saggamore of Aggamaw for hurte done in his corne by the Swine of Charlton, it is ordered that M^r. Nowell shall heare his witnesses, & appoynct what satisfac^ron hee shall haue, & whoe shall giue it, & to binde ouer to the Court those that refuse payem^r.

* " Gaylard " in L. copy.

† xx changed to xl.

Att a Court holden att Newe Towne Novemb^r 7th 1634.

Present
The Gofor
Deputy Gofor
Mr. Winthrop
Mr. Haynes
Mr. Treasurer
Mr. Pinchon
Mr. Nowell
Mr. Bradstreete.

Hen: Brights censure
for swearing.

Ens: Rich: Dauen-
port sent for, for
defacing his coulores.

Wm Knop bound
over.

Sewall, for age, dis-
missed from trayng.
readines att all tymes sufficient Armes for themselues besides for
their serv's.

Xop: Grant fnd
for drunkenes 20.

P^t of Jn^o Lees fine
remitted him.

Ollur goods sequestred. It is ordered that the goods and chattels of Christopher Ollyver nowe in the custody of Roger Williams & Thomas Okam, or the proceede thereof, shalbe sequestred & remaine in the hands of M^r. Israell Stoughton, till the said Christopher Olyver shall satisfie such debts as are due from him to M^r. Israell Stoughton & John Hoskins, Sen^r. /

It is ordered that Henry Bright shalbe set in y^e Bilbowes for swearing.

It is ordered that Ensigne Damford shalbe sent for by war^t with comāund to bring his col's with him to the nexte Court as also any other that hath defaced the said col's.*

Willm Knopp is bound in x^l to appeare att the nexte Court & to abide the sensure of the Court for swareing./

M^r. John Beniamin, Willm Pan[t]ry & Henry Goldston are (by reason of their age & infirmities) dismissed from traineing onely they are to haue in

Christ: Graunt is ffined xx^t for drunknes by him committed./

There is 30^l of John Lee his ffines of xl^l remitted him./

[135] Att a Court holden att Newe Towne March 3 1634.†

Present,
The Gofor
Deputy Gofor
Mr. Winthrop
Mr. Haynes
Mr. Endicott
Mr. Treas^r
Mr. Pinchon
Mr. Nowell
S: Bradstreete.

Conse^b. fnd. The constable of Dorchest^r is ffined xx^t for not retorneing his war^t for the last Levy into the Court.

The constable of Boston is ffined the some of xx^t for y^e like.

Lockwoods writings. It is ordered that Ruth Lockwood widd^t shall bring all the writeings that her husband lefte in her hands, to John Haynes

* See Winthrop I. 146.

† See Winthrop I. 150, for Meeting of Assistants Nov. 27, 1634. See also I. 184, for Meeting of Ministers Jan. 19, 1634-5.

Esq^r. & Simon Bradstreete on the third day of the nexte weeke, whoe shall detaine the same in their hands till the nexte Court, when they shalbe disposed of to those to whom they belonoge.

*Ed[w:] Hubbard,
constable.* Edmond Hubbert Sen^r. chosen constable of Charlton for this year nexte ensueing & till a newe be chosen.

*M^r. Ann Loomans
goods to be inventō.* It is ordered that the goods & chattells of M^r. Ann Looman shalbe Inventoryed by 3 or 4 of the freemen of Rocksbury & retourned into the Court in Aprill nexte. M . Pinchon is desired to appoynct the men that shall doe it.

*Jn^o Stanley estat
dividied & settled.* Whereas John Stanley dyed intestate in the Way to Newe England, & lefte three children vndisposed of, the yongest whereof is since diseased haveing also lefte an estate of cxvj^l in goods & chattells ♂. It is therefore ordered with the consent of Thomas Stanley brother to the said John diseased, that hee shall haue [forthwith] the some of lvij^l of the s^d estate putt into his hands, in consideraçon whereof the said Thomas Stanley shall educate & bring vpp John Stanley sonne of John Stanley diseased, findeing him meate drinke & appell, till hee shall accomplishe the age of xxi yeares & att the end of the said tearme shall giue vnto the said John Stanley the some of fifty pounds./

Also it is further ordered with the consent of Tymothy Stanley another brother of the afores^d John Stanley diseased that the other lvij^l of the aforesaid estate shalbe putt into the hands of the said Tymothy Stanley in consideraçon whereof the said Tymothy shall educate & bring vpp Rueth Stanley daughter of the afores^d John Stanley diseased findeing her meate drinke & appell, till shee shall attaine the age of one & twenty yeares, & att the end of the said tearme or att the day of her marriage with Tymothy Stanleys consent, shall giue vnto the s^d Ruth Stanley the some of thirty pounds, provided if eyther of the said children shall dye before the expiraçon of the said tearmes, then the p'ty whoe kept the said Childe shall stand to the order of the Court for payeing soe much to the survyving childe as the Court shall appoynt.

[136] It is ordered that Rich: Cokar shalbe whipt here this day, March 8. 1634. & on the fifth day of the nexte weeke att Boston, for intiseing sevall psons, that were servants, to run away to the Dutch Plantaçon & to steale dyy^r things to carry with them./

*Rt: Cokers sent.
to be whipt.*

Sam: Johnsons sent. Also it is ordered that Sam^{ll} Johnson shalbe whipt for the like offence.

It is referd to John Humfry & John Endicott Esq^r. to heare & determine all matters of difference concerneing the estate of Willust diseased, w^{ch} is betwixte any that layes claime to any p^{te} thereof./

[On pages 137 to 145 is the record of the General Court 4 March, 1634-5.]

[146] Att a Court holden att Newe Towne Aprill 7th 1635.

Present
The Govⁿr.
Deputy Govⁿr.
Mr. Wlnthrop
Mr. Haynes
Mr. Tresur.
Mr. Pinchon
Mr. Nowell
S: Bradstreete.

Nahanton find 2
skins bevar.

Ab^b Plow Pattent.

It is referd to John Haynes Esq^r. & M^r. Robte Feakes * to audit the accompts betwixte Edward Howe & Willm Knopp, to sweare witnesses, & examine them what they can say in the case, & to make returne thereof into the nexte Court.

Ensigne Jennisons fine of xx^l is remitted him vpon his submission & acknowledgem^t of his offence.

It is ordered that Nahanton shall giue two skins of beavr to M^r. Blackestone, for damage done him in his swine by setting of trapps ✓.

Further it is ordered that Cap^t. Traske shall pay to John Kirman, out of the estate of the Company of husbandm the some of ffoure & twenty pounds, eleven shillings & fyve pence being the remainder of the eight pte of the said estate, w^{ch} was by order of Court gyven the said John Kirman Provided if hereafter it shall appeare, that there is not soe much due to y^e said John out of the said 8th pte, that then hee shalbe accomptable for the same.

It is refered to † the church of Waterton with Lockwood estate. the consent of Robte Lockwood execut^r of Edmond Lockwood diseased, to ‡ dispose of the children & estate of the said Edmond Lockwood (gyven to them) to such ps ons as they thinke meete, as also to take an accompt w^{ch} if they p forme not within foureteene dayes, it shalbe lawfull for the Govⁿr. John Haynes Esq^r. & Simon Bradstreete to dispose of the said children & estate as in their discre^con, they shall thinke meete, as also to take an accompt of the said Robte Lockwood, & giue him a full discharge.

* feake in L. copy.

† Ordered that in L. copy.

‡ May in L. copy.

Mountagues censū: It is ordered that Griffin Mountague shalbe sett in the bilbowes, for stealeing boards & clapboards from M^r. Wilbore & is enioyned to remove his habitaçon from Muddy Ryver before the nexte genall Court vnder the penalty of v^t.

Willm Swiftē promiseth to gyve xx^s towards the cure of his late servant being infirme & lame.

It is referd * to M^r. Tresurer & M^r. Pinchon to examine & prepare the business betwixte M^r. Coxeall [&] Sayles his daughter & John Levens & to returne the same into the nexte Court.

Hewards sent. Ordered that John Heward † shalbe whipt for sweareing & stealeing.

226
The line betwixt Roxbury & New Towne. The lyne betwixte Roxsbury & Newe Towne ‡ is layde out to run south west from Muddy Ryver, neere that place w^{ch} is called M^r. Nowells bridge, a tree being marked on foure sydes & from the mouthe of the ryver to that place, the southe syde is for Roxsbury & the north syde for Newe Towne ‡ by mee
p Willm Jennison.

[147] Willm Colbran John Johnson & Abraham Palmer being appoynted by the genall Court to lay out the bounds **227** betwixte Waterton & Newe Towne ‡ did make this returne into the Court.—

Bounds betwixt Water Towne & New Towne. It is agreed by vs whose names are here vnderwritten, that the bounds betweene Waterton & Newe Towne shall stand as they are already from Charles

Ryver to the greate freshe pond & from the tree marked by Waterton & Newe Towne on the south east syde of the po[n]nd§ ouer the pond to a white poplar tree [on the norwest syde of the pond, & from that tree] ¶ vpp into the Country norewest & by west, vpon a straight lyne by a merydian compasse, and ffurther that Waterton shall have one hundredth rodds in lenght above the Weire, & one hundredth rodd beneath the weire in lenght, & threescoore rodd in breadth from the Ryver on the southe syde thereof, & all the rest of the ground on that syde the River to lye to Newe Towne.

Willm Colbran
John Johnson
Abraham Palmer.

* It is ordered & referred in L. copy.
§ Pond in L. copy.

† Heyward in L. copy. ‡ Newton in L. copy.
¶ These eleven words omitted in the L. copy.

[On pages 148 to 152 is the record of the General Court for May, June and July, 1635. Page 158 contains lists of freemen 1635 and 1636.]

[154]

At the Court holden in June 2 1635.

Present,
 The Govr^r
 Deputy Govr^r
 Mr. Winthrop
 Mr. Dudley
 Mr. Pinchon
 Mr. Nowell
 Mr. Hough
 Mr. Dumer
 Mr. Bradstreet.
 Forfeite.

Rich^d King's
 goods admis^td
 on by Rich:
 Bishop.

It was ordered that war^t shalbe sent
 Perkins bill. to Norton to bring into the nexte
 Court a bill of v^t made by Goodm^r Perkins to Thomas
 Wade, y^t it may be safely kept till it appeare, to
 whome it is due, the money being gyven, (as the Court
 is informed) to Jonathan Wade his brother./

M^r Humfry is ffined x^t for his absence from y^e
 Court.

There is administracⁿon graunted to Richard Bish-
 opp (in the behalf of his wife) of the goods & chattells
 of Richard King disceased./

In the cause of the children & widdowe of
 Edward * Lockwood (the elders & other of the church of Water-
 ton being p'sent) & vpon consideraⁿon of the order of court in
 Aprill last, made in the case,† w^{ch} was found not to have bene ob-
 served, because the estate was not computed & apportioned, It is nowe
 ordered with consent of all ptyes, viz^t the Church of Waterton the
 wid^w: of the said Edmond lyving, & the execut^r, haveing consented
 to the former order, that the present Gov^rn^r & the Secretary shall have
 power to call pties, & witnesses, for findeing out the true estate, &
 haveing consideraⁿon of the vncertainety of the will, & the debts, &
 other circumstances, to appor^ton the remainder of the estate to the
 wife, & children, according to their best discre^con, & then the Church
 of Waterton is to dispose of the elder children, & their p^cons, as shalbe
 best for their Christian educaⁿon, & the preservaⁿon of their estate.

It is ordered with the consent of John Cogan
 Committee ab:
 ship Thundr.
 John Tylley Willm Hill Henry Wulcott, & Humfry
 Pynney that the arbitrators chosen by them, vz. M^r.
 Willm Haythorne, ‡ Will: Halford, Roger Williams, & Rich Collicott,
 shall have full power to make a ffinal end of all differences, & ac-
 compts betwixte the said ptyes, concerneing the shipp Thunder, w^{ch} the
 Court enioynes them to pforme before this day fortnight & to returne
 into the nexte pticular Court, what they have done herein, & in the
 meane tyme all execu^cons concerneing the shipp Thunder to be re-

* So in the original.

† Cause in L. copy.

‡ Hathorne in L. copy.

speted. Also it is ordered that the arbitrators shall have power to examine witnesses vpon oathe./

[155] Att the Court holden att Newe Towne July the 7th 1635.

Present,
The Govrn.
Deputy Govrn.
Mr. Wintrop
Mr. Dudley
Mr. Treasurer
Mr. Pinchon
Mr. Hough
Mr. Nowell
Mr. Bradstreete
Mr. Dumer.

Steven Terry was sworne Constable of Dorchest' for a yeare & till a newe be chosen./

Lands sold by It is ordered that Ensigne Jennison Chickatabutto & M^r. Woolridge shall require the Indians Mr. Pinchon. that were present with Chickataubut when hee soldc certaine Land aboute Massachusetts to M^r. Pinchon, or knewe what it was, to sett out the sewall bounds thereof, & to returne the same to the Govrn' before the last day of this weeke M^r. Smyth & Goodman Wright are allowed to goe alonge with them./

Order to rem-
burse M^r. Henry
Seawall as to
y^e Bos[worths]

In considera^cn of money disbursed by M^r. Henry Seawall for the transporta^cn of Edward Bosworth & his ffamyly, It is ordered that Jonathan Bosworth shall pay to M^r. Seawall the so^me of v^l vpon the 29th of Septemb^r. nexte, Willm Buckland v^l on the said 29th of Sept^r Nathanaell [Bosworth] v^l l^l att the said day & l^l more that day twelue moneth, & Beniamyn Bosworth xxx^e on the said 29th of Sept^r. & iij^l x^e att midsummer nexte, all theis somes to be paide to the said M^r. Seawall.

Also it is agreed that the forenamed pties shalbe bound one for another for the payment of the said somes att the sewall dayes of payem^t.

Francis Toby

Ordered that Frauncis Toby (for misdemean^r by him committed) shalbe bound to his good behav^r, & shall putt in suretyes for the same, or els to remaine in holde./

John Love is ffined x^e for drunkenes.

[156] Att the Court holden att Newe Towne August 4th 1635.

Present,
The Govrn.
Deputy Govrn.
Mr. Wintrop
Mr. Dudley
Mr. Treasurer
Mr. Pinchon
Mr. Nowell
Mr. Hough
Mr. Dumer
Mr. Bradstreete.

Willm Gallerd * & Willm Rockwell executo^r of John Russell hath exhibited into Court an Inventory of the goods & chattells of the said John Russell disceased.

John Holland being att the Eastward Wannertons sent. affirmeth that M^r. Thomas Wonnarton threatened to sinke his boate if hee would not pay him a debt that Henry Way ought † him, &

* Gaylard in L. copy.

† Owed in L. copy.

called him roage & knave, & said they were all soe in the Bay, & that hee hoped to see all their throates cutt, & that hee could finde in his heart to begin with him, & therewpon strucke him vpon the head, and when the said Holland tould him, if Way ought him any money hee might recouer it by lawe, to w^{ch} Woñarton answered that they had noe lawe for them but to sterue * them. the like Bray Wilkinson & Robte Ellwell witnesseth against Woñorton Wherevpon it
His cens. was ordered, that the said Woñarton should putt in sufficient surtyties for his good behav' & in the meane tyme to remaine in durance./

Admistratōn to Wm Stitson of Robt. Whites estate. There is admīstraçōn graunted Willm Stitson of the goods & chattells of Robt White diseased, & it is ordered that all his credit^r shall repaire to the

Deputy & Tresurer, before the nexte Court, whoe shall haue power to examine witnesses &c. & such debts as they shall finde due they shall giue war^t to the said administr^r to pay, & those that are doubtfull shalbe transferd to the Court./

M^r. Hutchinson witnessed vpon oath that Arthur Seurall fforfect^s ab^t wages. M^r. Holbidge tooke 2^d 6^a a day of him for 30 dayes worke, Richard Bulgar 6 dayes Thomas Munt 9 dayes, & James Hawkens 36 dayes, all att 2^d 6^a a day & soe haue all forfected v^d aday according to the order of Court./

M^r. Cogan witnessed vpon oath that James Hawkins tooke 2^d 6^a a day of him for 14 dayes.

Jn^r. Pike^s allow. as a witnes. There is x^r graunted to John Pyke, for his charges being brought from Ipsw^{ch} as a witnes against John Mustlewhite.

W^m Willis cens. The Court hath enioyned Willm Wills to pay to Gyles Gibbs the some of xvij^s for ffellony by him committed./

With the consent of M^r. Humfry M^r. Hough & Richard Wright, the difference aboute two heifers that Richard Wright kept is referd to M^r. Winthrop M^r. Dudley & M^r. Nowell, whoe hath power gyven them to examine witnesses vpon an oath & soe putt an end to the difference.

Arthur Holbidg sent. It was ordered that Arthur Holbidge shall putt in surtyte for his good behav' for contempt by him committed, & in the meane tyme to be imprisoned./

Ordered that James Hawkins fforfects shall forthwth be levyed, &

* Starve in L. copy.

in case hee hath noe goods, his body shalbe taken & imprisoned till it be payde.*

[157]

Jno Russell's man-
cupative will.

John Russell merchant deceased att Dorchest'
August 26th 1633 & before his death being of a dis-
poseing vnderstanding, did make his last will, in the
presence of M^r. John Warham Past^r of the church of Dorchest' Tho:
Moore, John Moore, & Tho: Deway in the words followeing or to the
same effect.

Halfe of my estate I give to the church of Dorchest' & halfe to my
brothers Henry Russell & Thomas Hyatt, except my mans tyme, w^{ch} I
give to my man, & hee desired that in the disposeing of his goods to
Dorchest', there should be espetiall respect hadd to olde Dorchest'
people nameing Goodm^r Caping.

John Warham

This was testyfed vpon the } The m^rke of I Thomas Moore
oathes of the said witnesses } The m^rke of Tho: Deawy O
taken in Court Sept^r 3 1633 } John Moore.

Att the Court holden att Newe Towne Septemb^r 1th 1635.†

Present
The Gov^r.
Deputy Gov^r.
Mr. Winthrop
Mr. Dudley
Mr. Treasurer
Mr. Hough
Mr. Nowell
Mr. Bradstreete
Mr. Durmer.

Stor[ey] sent.
Scarlet sent.
Forfects.
Dixon^s bond
forfeit.

It was ordered that Andrewe Storyn
shalbe whipt for ruñng from his maist'.
Ordered that Robte Scarlett shalbe
whipt for ruñng from his maister.
Willm Dixon hath forfected his recog-
nizance of xx^l; Edward Converse & James
Browne x^l a peece being bound for Dixons
appearance att the Court.

It was ordered that the goods and chattells of Willm Dixon shalbe
attatched & kept safely to satisfie the Court for the fforfect of his
recognition.

Ordered that Richard Bulgar Thomas Munt
how discharged. James Hawkins & Arthur Holbidge shall pay iij^l a
peece weekly to the marshall towards the discharge of their fforfects.

It is ordered that Mary serv^r to M^r. Bartholmewe shalbe
whipt for ruñng from her maist' & shall serve him 6 weekes after her
terme is ended.

* The last four words not in L. copy.

† See Winthrop I. 166, under date Sept. 1, 1633; "At this general court was the first grand jury."

There is admistracon graunted to M^r. Anthony Thacher of the goods & chattells of M^r. Joseph Avery deceased, w^{ch} hee is to Inventory & returne the same into the nexte Court, & the said goods are to remaine in his hands till further order be taken the[rein.]

[158] An Inventory of the Goods and Chattells of Joseph Avery, deceased.

Due to him from John Emery Carpenter	07 ^l	00 ^e	00 ^d
It: from Robte Andrewes of Ipswich,	} 02 00 00		
w ^{ch} he confesseth to be due & to be p ^d forthw th			
It: from M ^r . Willm Hilton	02	16	00
or a sowe & piggs to that valewe testis Rich: Kent.			
From Rich: Kent of Ipsw ^{ch} ten bushells of Indean corne which hee acknowledgeth.			

John Emery denyes his debt but Richard Knight Nicholas Holte & John Knight all three of Newberry can & will testifie & proue it to be due, onely hee was by condicōn to pay the said 7^l in his worke, w^{ch} hee was to doe so [soone] as M^r. Auery did call vpon him for it, out of w^{ch} said 7^l there is something paide in lab^r already as hee can make to appear.

P me Antho[ny] Thatcher.

Att the Court Novemb^r 3 1635.*

Present
The Go^rn.
Deputy Go^rn.
M^r. Winthrop, Sen^r.
Mr. Dudley
Mr. Humfry
Mr. Treasurer
Mr. Pinchon
Mr. Hough
Mr. Dumer
S: Bradstreet
Mr. Nowell.

It was ordered that the Deputy Go^rn^r & M^r. Winthrop Sen^r. shall have power to examine all witnesses vpon oath concerneing an accōn of the case brought by M^r. Hough against M^r. Ma^racke.

Whereas Thomas Coleman hath contracted with S^r. Richard Saltonstall & dyvers other gentlem^{en} in England, & here man. for the keepeing of certaine horses bulls & sheepe in a genall stocke for the space of three yeares, & nowe since his comeing hither hath bene excedeinge negligent in dischargeing the trust committed to him, absenting himselfe

* See Winthrop I. 173, John Pratt "questioned" at this Court. For his answer and the action of the Court thereupon see below at the end of Part I. — For a court Oct. 6, 1635, see below.

for a longe tyme from the said cattell, as also neglecting to provide howseing for them by reason whereof many of the said cattell are dead already & more damage like dayly to accrue to the said gentlem̄. It is therefore ordered that it shalbe lawfull for the said gentlem̄ to devide the oates & hay provided for the said cattell amongst themselves, & soe euery one to take care of their owne cattell for this winter.

*John Pease to be
whipt.*

Ordered that John Pease shalbe whipt & bound to his good behav' for strikeing his mother M^r.

*Weston, & derydeing of her & for dyvers other mis-
demean^r & other evill carriages.*

*Rob^t Coles allow.
Jn^t Cole to be whipt
for stealing.*

There is x^r damages graunted Robt Coles, to be paid by M^r. ffawne, whoe sumoned him to appe att this Court & psecutes not against him.

Nich^t frost.

Ordered that John Cole shalbe whipt for stealeing a sheete and a pre of shoes.

Ordered that Nich^t frost shalbe imprisoned till the nexte Court when a tryeall is to passe vpon him for comeing into this Jurisdic^c being formly banished.

*Isabell Sacket,
admist.
Forfects.*

[It] was lefte in trust
w^t him [by a]
friend, to sell
for him.*

There is admistra^con graunted to Isabell Sackett of the goods & chattells of her husband lately disceased./

{ Sam^{ll} Cole hath forfected xx^r for selling 2 quarts of beare at ij^d a quart.

M^r. Nowell is ffined iij^r iiiij^d for selling wyne./

[On pages 159 to 164 is the record of the General Court for September, 1635, and also a record as to the bounds of certain towns.]

[165] Att the Court holden att Newe Towne Octob^r 6th 1635.

Present
The Go^rn.
Deputy Go^rn.
Mr. Winthrop
Mr. Dudley
Mr. Treasurer
Mr. Pinchon
Mr. Hough
Mr. Nowell
S: Bradstreet.

It was ordered that Clem^t Cole Peter Servants run^g [P]lyford Simon Bird, Willm Barker,† away. Willm Downes, & George Wilby shalbe whipt for runing from their maisters, & for stealeing a boate & dyv's others things with them, as also shall giue satisfac^con to the Country for their charges in sending to fetch them home, & likewise shall serve their said maisters twice soe longe att the end of their

* This marginal entry was written by John Winthrop Sen^r. and refers probably to Mr. Nowell's "wine." See marginal note in shorthand under the date March 1, 1635 (page 61).

† Baker in L. copy.

tyme, as they have bene absent from their masters service, by reason of their runing away & for Cole & Byford * the Court will consider of some further punishm^t for them./

Ordered that Dan^{ll} White shalbe seuerely whipt & fynd v^l for stealeing a golde ring & a hankerchiue, out of w^{ch} fyne satisfacⁿon shalbe made to those that have bene att charges in keepeing him after hee was apprehended./

R.

A theife punisht.

Whereas Beniamyn Felton hath brought into this Country one Robte Scarlett a knownen theife, whoe since his comeing hither hath committed dyvers felonyes e^r as appeareth by his examinaⁿon,

It is therefore ordered that the said Scarlett shalbe seuerely whipt & branded in the forehead with a T & after sent to his said maister whome the Court enioynes to send the said Scarlett out of this Jurisdicⁿon, & in the meane tyme to be lyeable to satisfie for such damages, as his said serv^t shall doe to any pson, & also shall pay x^v to M^r. Stileman the Constable for his charges in keepeing him & bringing of him to the Court,/

Forfect.

It was ordered that Richard Longet shalbe fynd v^l for contempt of auctoritie, & for ryveing dyv^r good trees into clapboards, and selling of them from Waymothe Towne, the w^{ch} trees hee was appoynted to fell for shingles for the ffort att Castle Ileland & that the said money shalbe gyven to the Towne of Waymothe towards the makeing of a bridge there./

Mr. Seawall injoyned
to prvide for M^r.
Sewalls prouision.

With the consent & att the desire of Henry Seawall & Ellen his wife the Court hath ordered that his saide wife shalbe att her owne disposeall, for the place of her habitaⁿon & that her saide husband shall allowe her, her weareing appell & xx^v p an^v to be paide quarterly, as also a bedd with furniture to it.

Joshua Hues.

Josuah Huyest hath ffrofct v^v for knyves & iiiij^v vjd for a sythe w^{ch} hee solde for above iiiij^d in the shilling offitt.

Forfects.

Edward Gyles was fynd xl^v for knoweing his wife carnally before marriage.

John Galley was fynd xx^v for the like offence.

* Pyford in L. copy.

† Or Louge. Long in L. copy.

‡ Hughes in L. copy.

[166] Att the Court holden att Newe Towne March 1th 1635.*

Present
The Govr.
Deputy Govr.
M^r. WInthrop
M^r. Dudley
M^r. Treasur
M^r. Pinchon
M^r. Nowell
M^r. Hough
M^r. Dummer
S: Bradstreete.

W^m. Almy^s satis-
faſon from James
Luddam.

Fine.

Rich: Phelps find 40^s
for drunkenes.

Anthō Cops bond
forfeited.

Differenc between
M^r. Dummer & M^r.
Burr refed.

Seur bonds forfeited,
as H: Jocely, Jⁿe
PICK[ring], & Nick.
Frost.

Griffin Mountagu
forfeited his bond, 20.

James Luddam find
40^s for being drunk.

Rob^t Way ser-
vant to W^m
Hosier, & to
pay e^r Jennison Edward Burton & Sam^l Hosier
shall pay xx^s apiece to Willm Almy, as
also that the said Rob^t Way shalbe taken from M^r.
Stoughton where nowe hee is, & putt to the said
Willm Almy, & him shall serve till hee hath satisfyed
the ſome of iiij^l w^{ch} if hee doe, hee shall pay xx^s thereof
backe againe to Sam^l Hosier.

Whereas in a ſuite betwixte David Johnson &
Willm Almy concerneing one James Ludam ſometimes
ſerv^t to either of them there was a iudgem^t of v^l
graunted to Willm Almy againſt David Johnson, but
upon ſome conſideraſon execuſion was reſpited, & nowe by conſent
of all ptyes, it was agreed that the ſaid v^l ſhalbe borne equally be-
twixte them, that is to ſay that the wid^w Johnson ſhall pay fyve
nobles & James Ludam the ſome of fyve nobles to
the ſaid Willm Almy & hee to loſe the rest.

Richard Phelps was fyned xl^s for drunkenes.

Anthony Coop forfected his recognizance of xl^s
for nonappance.

The diſference betwixte M^r. Dummer & Jehu Burr
about M^r. Dummers ſwine ſpoyleing his corne, is by
their conſent referd to the final determinaſon of
Willm Parke goodm^t Potter & goodm^t Porter.

Henry Joslyn gen^t. John Pickrin & Nicholas
Frost all of Paskataq have forfected their recog-
nizance of C^l for not apping att this Court.

Griffin Montague forfected his recognizance of
xx^l for nonappance.

James Ludam was fyned [xl^s] for drunkenes & it
is ordered that Knight the witnes, ſhalbe p^d out of it./

✓ ✓ ✓ ✓ ✓

[Pages 167 to 174 contain the record of a General Court 3 March 1635-6.
Page 174 has also the following record.]

* See WInthrop I. 175-7, for meetings of the Magistrates Jan., 1635-6.

† Shorthand conjecturally rendered:— “Tell the Court about Mr. [Now]ell.” See marginal
note under the date Nov. 3, 1635 (page 59).

Att the Court holden att Newe Towne Aprill 5th 1636.

Present,
The Govr.
Deputie Govr.
Mr. Wintrop, Senr.
Mr. Dudley
Mr. Treasur.
Mr. Pinchon
Mr. Nowell
Mr. Hough
Mr. Dumer
Mr. Bradstreete.

Wm. Shepheard sent.
for Theft.

Wm. Perkins sent.
for being drunk, D.

Georg Ropp sent
to be whipt for strik-
ing his mr. Mr. Gar-
ford, &c.

Wm. Barker sent.
for theft.

Vpon the appearance of Nicholas ffrost att this Court, & his sheweinge iust cause whie hee was detained from the last Court the s^d Nich ffrost, Henry Joslyn gent. & John Pickrin are discharged of their recognizance of C^l & the said Nich: ffrost hath bound himselfe in xx^l to appeare att any Court hereafter, vpon sumons to answer to such things as shalbe objected against him./

Ordered that Willm Shepheard serv^t to Willm Sum^r shalbe whipt for stealeing victualls from his m^r. & beanes from the Indians.

Ordered that Willm Perkins shall (for drunkenes & other misdemeanour by him committed) stand att the nexte genall Court one houre in publique vewe, with a white sheete of pap on his brest, haveing a greate D made vpon it, & shall attend the Court till hee be dismissed.

Ordered that George Ropps shalbe seuerely whipt here this p'sent Court, & againe after some convenient tyme att Salem, att some publique meeeting there, for strickeing his maist^r M^r. Garford, throweing him downe & spurneing him with his feete being downe, & the Court hath intreated John Endicott Esq^r to see his correccⁿon gyven./

Ordered that Willm Barker * shalbe whipt for stealeing Bacon cheese & from Ralfe Tompkins./

[Pages 175 to 177 contain records of the General Court from March 3, 1635-6, to May 25, 1636. From here the original record is in the handwriting of Increase Nowell.]

[178]

the 7th of the 4th m^o @ 1636

A quarter Court held at Boston the 7th of the 4th M^o @ 1636: †

present
the Governor
the Deputy Govr.
Mr. Tho: Dudley
Senr
Mr. Richard Belling-
ham

John Jobson shipmaster vndertooke & bound himselfe in a sum set^t of 10^l to answeare for ffancis Tobey any damage not exceeding 10^l/

Edw^d Bendall was fined 40^l to the Ed: Bendall. Comp^a, & [10^l] to the sentry & to returne

* Baker in L. copy.

† See Wintrop II. 344, case between Richd Beggarly and wife for divorce heard by the "Governour and Council and assistants" June 2, 1636.

‡ In Assumption in L. copy.

M^r John Haynes
 M^r Willi^t Coddington
 M^r Roger Herlackenden
 M^r Richd Dummer
 Increase Nowell
 M^r John Humfrey
 M^r John Endecot.

Phillip cons.

to prison till hee acknowledg the iustice of the Court,
 & pay his fine. Hee after acknowledged his sinn,
 paid his fine, & was discharged./

John Whitele, Willi^t Bayrstow, &
 Whetie, Bairstow, Tymothy Wales were censured to be whiped
 Wales, cens. 6 stroaks a peece for drunckenes./

John Philips was chosen Cunstable of Dorchester, & tooke his oathe to that place belonging.

M^r Moses Maverick paid the Gov^{rno} 40^l rent for Nodles Iland.

Tho: Miller
 committ.

Thomas Miller pylote, & mate to M^r ffearnes in
 the Hecto^r was comittēd for certeine seditious & opprobrious
 speaches, saying wee are all rebells, & traytors,

& hee would iustify it to the Governo^r face, & that hee had bene twice
 at y^e Counsell table, & would go againe, & doubted not but to bring
 some to scourge vs.*

The 6th Day of the 7th M^o @ 1636:

A quarter Court kept att Boston.

present
 The Governor
 Deputie Governor
 M^r John Haynes
 M^r Richard Bellings^a
 M^r Willi^t Coddington
 M^r Willi^t Pinchon
 M^r John Winthrop^e
 Junr.
 M^r Roger Herlakenden
 M^r Tho: Dudley
 M^r John Humfrey
 M^r Richd Dummer
 M^r Symon Bradstreete
 Increase Nowell.

It was ordered that John Olyver & Rob't Marten
 should veiwe the land beyond monotoquid ryver, &
 bring a plot of the same.

[Jam]es Clarke & Joane Clarke were accused
 [suspected] of fornication but no cleare gufe.

Robert Shorthose for swearing by the
 Shorthose sent. bloud of god was sentenced to have his
 tongue put into a cleft stick, & to stand so
 by the space of haulfe an houre.

It was ordered that M^r Dudley M^r
 Comitt. Endecot, & M^r Bradstreete or any two of
 them should examine the accounts betweene M^r Rich'd
 Saltonstall & Edw^d. Dillingam, & report to the Court
 how they find the estate of John Dillingam, & his wife deceased.

It was ordered that M^r Haynes, M^r Harlaken-
 den, & Increase Nowell or any two of them should
 examine busines conc'ning M^r Ouldams estate, & debts: & M^r Hutchinson
 & M^r Mayhewe to gather vp the debts & estate, & bee accountable
 to the Courte.

* See Winthrop I. 187, and II. 344.

Jno. Whites bond. John White being bound vpon recognizance forfeited ten pounds.

Pet^r Bussaker sent. Peter Bussaker was censured for drunkennes to bee whiped, & to have twenty stripes sharply inflicted, & fined 5*l*, for sleiteing the magistrates, or what they could do, saying they could but fine him.

Edw: Woodley sent. Edward Woodley for attempting a rape, swearing, & breaking into a house was censured to be severely whipped 30 stripes, a yeares imprisonment, & kept to hard labo^r wth course dyot, & to weare a Coller of yron.

Eliz: Aplega^s sent. Elisabeth the wife of Thomas Aplegate was censured to stand wth her tongue in a Cleft stick for swearing, raileing & revileing./

[Pages 179 to 188 contain the General Court record from Sept. 8th to Oct. 28th, 1636. Page 188 has also the following record.]

A quarter Courte houlden at Boston the 6th Day of the 10th M^o @ 1636 :

present
The Govnor
the Deputy Govnor
Mr Thom: Dudley
Mr John Haynes
Mr Rich: Bellingham
Mr John Humfry
Mr John Endecot
Mr Will: Coddington
Mr Richard Duimer
Mr Jn: Winthrope Jun:
Mr Symon Bradstreet
& Increase Nowell, se:

The same order was renewed, w^{ch} was formerly agreed vpon betweene M^r Rich'd Saltonstall, M^r Aplleton & M^r Edw^d Dillingam & the same gentlemen to whom the cause * was referd to have power to determine or to report to the Courte.

Will: Clarke being convicted of severall thefts was censured to bee severely whiped, & Comited to prison till the ship returne, & then to bee sent home./

Anthony Robinson being convicted of fornication comited by him 3 times by his owne Confession was censured to bee whiped, & to have 20 stripes sharply layd on. Hee was also enio[y]ned to appeare at the next quarter Courte after the expiration of his time, & the meane while to bee of good behavio^r./

[On pages 184 to 190 is the General Court record from Dec. 7, 1636, to April 18, 1637.]

* The words "did belong" are inserted here in L. copy.

[191] A Quarter Courte houlden at Boston the 7th Day of the First
M° @ 1636 :*

present
The Govnor
the Deputy Govr.
M^r Dudley
M^r Haynes
M^r Bellingham
M^r Coddington
M^r Herlakenden
M^r Humfry
Increase Nowell.

Emersons bond.

Moultons rate to be
repaid him.

W^m. James oens.

Louell admoiaht.
Tim^m Tomlins.

Tho: Petet eens.

Woodly, re-
lease.

Louells sent.

John Emerson being accused by Edith Pitts for-
feted 100^l.

George Kendrick & Will: Hatche forfeited 50^l a peece for want
of John Emerson's appearance. These were discharged the 4th m°. 1638.

Ja Heyden freed.
James Hayden was admited to be free because of
his m^r. his former qmisse before the act of the Courte
made against it./

It is thought equall by the Court that the towne
of Salem should repay goodman Robert Moulton the
money taken of him for the last 1200^l rate./

Will: James being p'sented for incontinency
knowing his wife before marriage, was sentenced to
bee set in the bilboes† at Boston the 5th in the afternoone, & in the
stocks at Salem vpon the next Courte day, & bound in 20^l/

The power formerly granted to M^r Dudley, M^r Endecot, & M^r
Bradstreete, is granted to Increase Nowell & Thom: Mayhewe, to ex-
amine the acccounts betweene M^r Rich'd Saltonstall, M^r Apleton, &
Edward Dillingam./

Cap^t. Lovell was admonished to take heede of
light carriage.

Tymothy Tomlins was contented to take onely
x^o of John Stretton.

A Capias was graunted to John Stretton to bring Kibbe & Elwell
before the Governo^r.

Thom: Pettet for suspition of slander, idlenes,
& stubbornenes is censured to bee severely whiped, &
to bee kept in hould.

* 1636-7? † The L. copy has also here " upon the next court day."

Attachment was sent [ordered] for Will: Powell to appear the 28th p'sent for contempt, & to answear to the accusation of Tho: Pettet./
 Jn^o Trumble find 20^l. John Trumble was fined 20^l to the Comon Wealth resting till the next quarter Court, & bound in 40^l to appeare the first tewsday in the 4th month @ 1637./

Mary Bowler was adiudged to make double restitution for the things stolen by her from others./

[On pages 192 to 196 is the record of the General Court 17 May, 1637, and also the list of freemen from May, 1636, to March, 1638-9. The following record is on page 195.]

The First of the 4th M° @ 1637 :

M^r Richrd Saltonstall being chosen an Assistant by the Generall Court this day tooke the oath to that place belonging./

[197] A Quarter Court houlden at Boston the 6th Day of the 4th M° @ 1637 :

present the Governor the Deputy Govnor Colo: Jn ^o Endecot M ^r Richrd Bellingha M ^r Jn ^o Wintropre Junior	Sweet find.	John Sweete being p'sented by the grandiury for shooting a woolfe dog of Colonell Endecots, in Colonell Endecots owne yard was fined 5 ^l & to bee imprisoned dureing the pleasure of the Courte./
--	-------------	--

M ^r Roger Herlaken- den	Anderson find.	Robert Anderson for his contempt was fined 50 ^l , & sent to prison till hee shall give satisfaction./
---------------------------------------	-------------------	--

M ^r Rich: Salton- stall	Jn ^o Hatha- way, for adultery.	John Hathaway being accused of adultery w th Margaret Seale wife of Ed- ward Seale, James Peñ & Samuell Coles
---------------------------------------	---	--

testified that hee confessed it to them : so the grandiury found the byll of inditeme to bee true though ^

Rob ^t Allen & Marg ^t Seale, for adultery.	Rob't Allen & Margaret Seale being accused of adultery confessed the fact; so the grandiury found the byll of inditem ^t to bee true.
--	---

Mathewe Bridg bound ouer.	Mathewe Bridg being accused to bee guilty of the vntimely death of John Abbot the said Mathewe, & John Bridge his father were bound in 40 ^l for his ap- pearance at the next quarter Courte to bee held the first tewsday in the 7 th m° at Boston.
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Order abt Phebe
Seales free frō Jr^r
Cogahall.

In regard Phebe Seales was by order of Court put app'tice to John Coggesall of Boston merchant, who at the instant request of the Courte accepted the same, & for that the said girle hath gived over burthenosome to him, the Court (as formerly) so nowe have thought it iust to ease him of it, & whereas the said girle was put by the said John Coggesshall to one John Levins of Roxberry to bee kept at a certeine ; It is now ordered that M^r Deputie calling to him M^r Brenton, & Will: Parks chosen by the said 2 pties shall have power to end the difference betwene the said parties, & to set downe such order for the ease & discharge of the said John Coggesall & disposeing of the said Phebe as they shall thinke equall.

Jn^r Palmer costs gr
to him.

15th of Jr^r Trumbles
20 fine remitted him.

Rich: Osbornes in-
junction.

puting him to the Castle.

Isack Davies to be
sent home to his
wife in Eng.

Binfeild^s children,
how disposed.

goods of the
Country./

Edw^d Seales sent to
be whip. for drunk-
eness.

Geo: Munings find
for selling beer.

Sam: Cole find.

white wine as is sent f[or.]

In regard Phebe Seales was by order of Court put app'tice to John Coggesall of Boston merchant, who at the instant request of the Courte accepted the same, & for that the said girle hath gived over burthenosome to him, the Court (as formerly) so nowe have thought it iust to ease him of it, & whereas the said girle was put by the said John Coggesshall to one John Levins of Roxberry to bee kept at a certeine ; It is now ordered that M^r Deputie calling to him M^r Brenton, & Will: Parks chosen by the said 2 pties shall have power to end the difference betwene the said parties, & to set downe such order for the ease & discharge of the said John Coggesall & disposeing of the said Phebe as they shall thinke equall.

John Palmer was graunted 10s^s costs against Georg Woodwar[d] for not prosecuting his suite haveing sumonned the said John to appeare this quarter Courte.

John Trumble being formerly fined 20^l fifteen pound of the said 20^l is remited, & the other 5^l hee hath a yeaeres time granted him to satisfie the same.

Rich'd Osborne was enioyned to give an account to the Cunstable weekly * how hee doth imqve his time, & if hee neglect, further order to bee taken, by

Isaack Davies was ordered to bee sent whom to his wife to England, & the care thereof is comited to Salem./

Whearas John Binfeild† dyed leaving 2 child'n vndisposed of, the charge of the one was ordered to bee defrayed by M^r Cradock, hee haveing the deceased, the other child being disposed of by the

Edward Seale for his beastly drunkennes was censured to bee set in the bilboes till the end of the Court, & then to bee severely whiped.

George Munnings was fined 20s^s for sellng beare & keeping a house of intertainement without license./

Samuell Cole was fined 10s^s for selling a quart of beare a[t] 2^d, & was licensed to sell such claret & white wine as is sent f[or.]

* Wm Kelly in L. copy.

† Benefield in L. copy.

Rob^t Longe find. Rob^t Longe was fined 10^s* for seling a q^t of
beare at 2^d, and was licensed to sell such claret &
white wine as is sent for.

[198] Wm Baulston find. William Baulston was fined 10s^t for selling a q^t
of beare at 2^d.

James Browne cens. James Browne was censured for drunkennes to bee
set two houres in the bilboes vpon the market day at
Boston publikely

& the said James Browne was fined 40s^t for selling strong water
to the Indians wthout license.

Benja: Hubbard ad- monish. Benjamin Hubberd was also solemnly admonished
of his failing for being in Company wth James Browne
& the rest, & often drinking of the strong water bottle†
wth them, & not regvng them.

Gorg Woodward costs. George Woodward was ordered to give Rich'd
Chadwell 6^s 8^d because hee called him for a witnes
from Saugust ‡ by warrant.

John Knight, of Newbury, licenst. John Knight of Neweberry was licensed to keepe
an [ordinary, & give]§ intartainement to such as neede.

Nicho: Vpsall, of Dorch. licencet. Nicholas Vpsall of Dorchester was licensed to
keepe an ordinary, & give intartainemēt to such as
neede./

W^m Knop cense. Willi: Knop was enioyned vpon paine of 100^l &
imprisonment to bring in sureties wthin 8 dayes for his
appearance at the next quarter Court to answear what shalbee objected
about his speaches of M^r Vaine or late governor./

Mr. Sam: Maverick Mr. Samuell Maverick was enioyned to keepe in
injunction. his hands of the goods of Robert Anderson to the
valew of 50^l starling for his fine, for his contempt offered, & to deliver
him the rest of his goods./

A day of thanks- giving. The 5th day of the next weeke, being the 15th of
this month was appointed to bee kept a day of thanks-
giving in the severall Churches./

W^m. Baulston lis. Willi: Baulston is licensed to keepe a house of
intertainement, & is licensed to sell such claret & white
wine as is sent for./

* 20^s in L. copy.

† The word bottle not in L. copy.

‡ Lynne in L. copy.

§ These three words omitted and the words "house of" substituted in L. copy.

OF THE MASSACHUSETTS BAY.

69

Order was appointed to bee given to the Cunstable
Schooler sent for, & of Neweberry to app'hend Schooler,
old Jno Bayly. Bayly * & dwelling beyond
merrimack† to appear at the Court at Ipswich or before the magistrates
there, who have power to take further order as they shall see cause.
Hen: Kingman, of Henry Kingman of Waymooth is licensed to keepe
Weymouth, licencet. a house of intertainement./

[On page 199 and the first part of page 200 is the General Court record of Aug. 1, 1687. The rest of page 200 contains the following record.]

The 5th Day of this 7th Month 1637.

The quarter Court was adjourned till the 19th of this 7th month because of the Synode kept at Newetowne for the settling of things in difference amongst vs.

The 7th Day of the 7th Month @ 1637.

The Generall Courte by the Generall Consent of all present was adiourned to the 26th of this 7th month, & the pticuler Courts in the severall places to bee kept the last Tewsday of the 8th month./

Freemen, 2. M^r George Moxham & M^r Timothy Dalton were made free this 7th day.

The 19th of the 7th M^o, @ 1637.

A quarter Courte held at Boston, & Newetowne because of the Conference.

the Gov'r John Williams being indicted about
the Deputy Gov'r. the death of John Hobbe† confessed that
Col: John Endecot he killed the said Hobbe, so the Jury
Mr: John Humfrey found him guilty of murther.§
Mr: Rich: Bellingham William Schooler being indicted for the
Mr: Israell Stanton† death of Mary Schoolee¶ the Jury found him
Mr: Rog: Herlakenden guilty of murthering the said Schoolee.§
Mr: Rich: Saltonstall Increase Nowell.

* Not in L. copy.

[†] Hobbes in L, copy.

Schooley in L. copy.

[†] Merrimack river in L. copy.

§ See Winthrop I, 241, 321.

Mary Osborn seq^d. Mary Osborne the wife of Osborne being indited about the death of her daughter, found* the byll Ignoramus.

Jn^r Hathaway, adult. John Hathaway being indited for adultery was found guilty.

Rob^t Allen, adult. Rob^t Allen confessed Adultery, & was found guilty.

Marg^t Seale, adult. Margaret Seale the wife of Seale confessed adultery & was found guilty.

The grandiury men.

John Holgrave
Daniell Raye
Will: Parket
Isaack Morrell
Jonathan Wade
Will: Bartholmew
Rich'd Joanes
Rob^t Harding
Samu: Wilbore^t
Henry Kingman
Rich'd Adams
Edmond Hubberd seni:
Thom: Hamond
Abrah: Palmer
Brian Pendleton
Thom: Cakebread.

The Jury of Life & Death.

Ralph Hudson
Samuell Finch
Willi: Curtis
Willi: Barsham
John Smyth
John Holman
John Holland
Nicholas Vpsall
John Geepin
Ezech:§ Richardson
Thomas Squire
Rich'd Betscombe.

[201]

Bromfeilds sent. William Brumfeild being examined about theft confesed that hee had stolen above 5l from his m^r, & about an elle of cloth, & for his stealeing, ploting to run from his m^r. lying, drunkennes, & idlenes was censured to make double restitution to bee branded, & bee severely whiped.

Georg Spencers sent. George Spencer who received 6s^t of the said Brumfeild was censured to make double restitution, & bee whiped.

Georg Barlow sent. George Barlow for his idlenes was censured to bee whiped.

* "The Grand Jury found" in L. copy.
† Gibones in L. copy.

‡ Parkes in L. copy.
§ Elizabeth in L. copy.

Jn^e Hogges sent.

John Hogges being accused of drunkennes confessed it, & was fined 3^l.

Jacob Smith dis-
chard.

Jacob Smyth was discharged for want of evidence vpon his imprisonment.

Mathew Bridg
sequ^r.

Mathew Bridge appearing, & no evidence comeing in against him, hee was quit by proclamation.

M^r. Jⁿ^e Green find
& banisht.

M^r John Greene of new qvidence was fined 20^l, & comited vntill the fine of 20^l bee payd, & enioyned not to come into this iurisdiction vpon paine of fine, or imprisonment at the pleasure of the Courte for speaking contemptuously of the magistrates.

M^r. Jⁿ^e Stretton
find, x^l.

M^r John Stretton was fined x^l for lending a gun to an Indian four dayes.

338
Gurlings land to be
sold.

It was ordered that M^r Joseph Weld & M^r John Beniamin (being authorished) should make sale of M^r

Gurlings land for satisfaction of the credito's in qportion if it come to short, & if an overplus bee, that to remaine in the hands of M^r Beniamin.

M^r. Rob. Salton-
stalls deed for his
creditors.

The 23th* of this 7th m^o 1637 M^r Hugh Peters deliv'ed into the court a deed of M^r Robert Saltonstall makeing over all the estate that hee hath, or shall have to satisfy his Credito's.

[The rest of page 201 and pages 202 to 218 contain the General Court record from Sept. 26 to Nov. 20, 1637.]

[214] At a quarter Court held at Newetowne the 5th Day of the 10th M^o @ 1637.

Prsent,
the Governo:
Deputy Govno:
M^r Belligham
M^r Herlakenden
M^r Staughton
Increase Nowell

M^r Rich:
Brownes
satisfaction
for 5^l 10^s
from Curtis
Jesop, e^r.

Whereas there came into this Courte Rich'd Browne of Watertowne on the behalfe of John Woolcot, & William Curtis of Roxberry, & by mediation of the Court the said Willi: Curtis was willing & did agree to pay vnto the said Rich'd Browne 5. 10^s w^{ch} hee was indebted to one John Jesop, now out of this iurisdiction, in satisfaction of 5. 10^s dewe by the said Jesop to the said John Woolcot † this Court doth order that vpon payment of the said 5^l 10^s by the said Curtis, the said John Woolcot, † & the said Rich'd Browne, & their executo's shalbee alwayes lyable to save harmlesse the

* 13th in L. copy.

† Wolridge in L. copy.

‡ Wolcott in L. copy.

said Willi: Curtis against the said Jesop for the said 5^d 10s^c till a sufficient discharge bee oth'wise had from him.

Luke Henbury:
sent., for theft, to be
whip^t, etc.

Hen: Harwood:
invento.

Luke Henberry being convicted of theft was censured to bee severely whiped, & for ruining away./

The inventory of Henry Harwood of Charlstowne was p'sented to this Court being 46^l 17^s 8^d* & the debts 4^l. Edw^d Conv'se, Rob't Long, & Rob't Hale were the appraisers.

308
Joane Draks will &
invent.

The Inventory of Joane Drake wth a Coppey of her will was presented to the Court being 28^l 1^s 5^d. Willi: Cheesbro James Penniman, & Willi: Huet were the appraisers. She gave $\frac{1}{4}$ of her goods at Boston in N. E. to John N[o]tt,† to her sister Duglas 2^l, to her nephew to whom shee was a witnes 20^s to buy him a bible, the rest of her goods heare in Newe England to Samuell Bellingham, & all [her] goods in ould England shee gave them equally between her two sisters there.

the disposeing of these shee leaveth to her m^r as executor.

Georg Woodwards
costs.

There is 5s^c damages graunted George Woodward to bee paid by Willi: Dinely, who sumoned him to appear at this Court, and causing him to attend, did not prosecute ag^t him.

Sam: Freemans
costs.

There is 13^s 4^d damages granted Sam: Freeman to bee paid by John Gay, who sumoned him to appear at this Court, and causeing him to attend wth 2 witnesses prosecuted not against him.

[215] At a quarter Court held at Newetowne the 6th of the First Month @ 1687:‡

present,
The Governor
the Deputy Govnor
M^r Bellingham
M^r Humfrey
M^r Herlakenden
M^r Staughton
Increase Nowell.

Brigg bond for his
wife.

Arthur Warren, for
accomp^a Brigg wif.

Joseph Faber. Joseph Faber being complained of for selling of wine wthout order was find 10^s for sellig a gallon.

Hollard. Angell Hollard being p'sented for a libell acknowledged his fault of himselfe voluntarilly, & was fined 20s^l.

Clement Briggs is bound in x^l for his wifes appearance at the next quarter Court

the p'sentment of Arthur Warren for keeping Company wth Clement Briggs wife was found to bee true.

* sic omitted in L. copy.

† Natt in L. copy.

‡ 1687 in L. copy.

Laur: Waters bound
for his wife.

Leif Howe bond
App.

368

Gurlings land sold.
Gurlings land sold,
bran, and Goodm Bridge./†

Jno Woolridg
admonish: for his
drunkenes.

Xtopher Grant find
5 for excess. drink-
ing.

Hen: Bright dismiss.

Nicholas Busby, an
attach. issue out ag^t
him.

Tho: Smith; attach
ag^t him.

Tho: Starr find 20
for speaking ag^t the
law.

not obey it: so hee was comited, & enjoyned to acknowledg his fault
the 14th at the gen'all Court, & was fined 20^l, & to give security for
his fine, or pay the same before his releasement./

attachment was graunted ag^a Nic^o W Theale to ap-
pear the 4th [m^o.]
attachment was granted ag^a Edward Lambe to
appear the 4th m^o.

attachm^t was graunted ag^a John Bennet.

attachm^t was granted ag^a Philip Deare.

Tho: Evar, const of
Charles T^o.
Tho: Evar was chosen Cunstable of Charlestowne,
& tooke his oath to discharge the said office god helping
the 24th, first [m^o.]

* This paragraph not in L. copy. † John Bridge in L. copy. ‡ So in the original.
§ 22 in L. copy. ¶ Richard in L. copy.

[Pages 216 to 224 contain the General Court record for March and May, 1638.]

[225]

Quⁿ Court, 5:
4: 38.

present.
The Governo
The Deputy Governo
M^r Endecott
M^r Bellingham
M^r Saltonstall
M^r Stoughton
M^r Bradstreete
M^r Herlakenden
Incr. Nowell.
Ric: Colli.

Gurlins land.

Difference be-
tweene M^r.
Whit. & M^r.
Woolcot re-
ferred.

to do it wthin 14 dayes, & M^r Woolcot is to bring in a pfect inventory,
& distinguish the goods inventoried between his & the Childrens
leaving to the Court to give order about them.

Edith Pitts
abused.

M^r Hen: Sewalls
beating his wife re-
ferred to Ipsw.

Rob^t Bartlet sent.
for swearing, his
toung in a cleft stick.

Jn^t Smith sent.

Kath: Cornish
admonish.

At A Courte of Assistants held at Cambridge the
5th Day of the 4th M^o @ 1638 : being a q^rter Courte.

It was ordered wth the Consent of M^r
Mr. Skeltons
estat. set. Baggerly that the increase of M^r Skeltons
Cattle should bee divided according to
M^r Skeltons will, & that the goods & household
stuffe w^{ch} belongs to the 3 eldest child'n should be
divided by some of the Church of Salem, & committed
to the Church of Salem./

Rich'd Collicot & John Buslin were fined 6^o 8^d a
peece for absence when the Court sat in the afternoone
being Jurymen.

M^r Willard & M^r Spencer are ioyned wth oth's
formerly appointed about M^r. Gurlins land./

M^r Rich'd Bellingham, Increase Nowell, & M^r
Mayhewe are appointed they or any two of them to
examine witnesses vpon oathe & to heare & examine
all things concerning M^r White & M^r Woolcote,* &
to do it wthin 14 dayes, & M^r Woolcot is to bring in a pfect inventory,
& distinguish the goods inventoried between his & the Childrens
leaving to the Court to give order about them.

Samuell Jackson & Edith Pits did appear, & give
in their evidence ag^t John Emerson of Scituate about
his abusing the said Edith./

Henry Seawall being p'sented by the grandiury
for beating his wife is referred to the Court of Ipswich
to examine, & hee to appear wthout any new summons./

Rob^t Bartlet being p'sented for Cursing &
swearing was Censured to have his tongue put in a
Cleft sticke.

John Smyth of Meadford for swearing being
penitent was set in the bilboes.†

Katherine vxor Rich: Cornish was found suspi-
tious of incontinency, & was seriously admonished to
take heede.

* Wolcott in L. copy.

† This paragraph not in L. copy.

Clem^t Brig wife
enjoy. not to ac-
compā Arth: Warren.

Clement Brigs his wife is enioyned not to come
into the Company of Arthur Warren.

Willi: Busbey being p'sented for drunkennes it
was found the falling sicknes.

Lauren^c Waters
wife & others ad-
monish^r.

Laurence Waters Wife was enjoyned to give John
ffinch 18^d & Nico: Theale to give Jno ffinch 18^d &
Edw^a Lambe to give him 2^s & lambe was fined 15^s 6^d
for his contempt, & all of them were admonished

to avoyde dancing.

John Bennet & Philip Deare were referd to Salem for their
drunken[es.]

Newberry find 6.8.
Ips. find 6.8.

The towne of Newberry was fined 6^s 8^d, &
enioyned to repaire y^{lr} defects before the Court in
Septemb^r.

Lin find 20.

The towne of Ipswich is fined 6. 8^d, & hath
lib'ty till the 7th m^o to repair their defects.

Charl Tō find 6.8.

The towne of Linn is fined 20^s, & enioyned to
mend their wayes before the next Court./

The towne of Charlestowne is fined 6^s 8^d & hath
lib'ty till the 7th month.

Tho: Ewar find 40 for
leaving his pitt open.

Thomas Ewar is fined 40^s for the leaving his pit,
or well open in w^{ch} a child was drowned./

Camb. find 5.

The towne of Cambridge was fined 5s^s & to
p'pare before the next Court.

Boston trav^r yr^r
present.

The towne of Boston trav'se their p'sentment./

Edmund Hubbard
find 40.

Edmond Hubberd Senior was fined 40^s for leav-

ing a pit open in w^{ch} a child was drowned./

Fran^c Westons wife
set in the bilboes 2
howers.

Francis Westons wife was censured to bee set 2
houres in the bilboes hear & 2 houres at Salem vpon
a lecture day.

Dor^c find 6.8.

The towne of Dorchester was fined 6. 8^d & hath
liberty till Septemb^r next.

Rox. find 6.8.

The towne of Roxberry was fined 6. 8^d & hath
lib'ty till the 7th month.

Weymon^a find 6. 8.

The towne of Waymoth was fined 6^s 8^d & hath
lib'ty till the 7th month next. .

Hingh. find 6.8.

The towne of Hingham was fined 6. 8^d & hath a
months lib'ty.

John Holgrave is referd to Salem./

Tho: Gray to be
seuly whipt &
banish.

Jn: Leg & W^m Ed-
monds bonds for
yvir wifes.

Rob: Cole.

Jn: Emersons bond.

Thomas Gray was censured to bee severely
whiped, & the former execution of banishment to bee
inflicted.

John Leg bound in 40^l & Willi: Edmonds bound
in 40^l to bring [carry] their wifes to Salem Court &
Rob't Keyes bound in 20^l to appear.

Rob't Cole was enyoyned to pay the witnesses
10^o & so was discharged.

John Emerson is bound to the good behavio' for
twelue months & bound in 40^l to appeare at the
quarter Court in this iurisdiction the 4th m^o. 1639./

George Pye a more * was to remaine wth M^r Cradock vntill advise
from England, & advise to bee sent to Rye./

Rob't Morgan, Edw^a Hall, & Rich: Lambert are referd to Salem./

[226] A Courte of Assistants held at Boston the 4th of the 7th Month
@ 1638: †

present,
the Governo'
the Deputy Govnor:
M^r Endecott
M^r Belligham
M^r Herlakendon
M^r Bradstreete
M^r Stoughton
M^r John Winthrop
juni:
& Increase Nowell.

Hen: Collens
find.

Katherin,
wife of Sam:
finch, whipt
for speaking
ag^t magistr^e &
church.

comited till the gene^tall Court./

The Cunstables of Cambridg & the Cunstables of
Boston are fined 10s^o a piece for not returning their
warrants in time wth the names of the Jury men./

Henry Collens is fined 5^o for not ap-
pearing when hee was called to serve vpon
the grand iury./

Katherine the wife of Samuell Finch
being accused for speaking against the
magistrates, ag^t the Churches, & against
the Elders was censured to bee whiped, &

Holloway is bound in 20^l to appear at the next Courte.

John Crosse being warned to appear about his servant Clement
Manning who miscarried the said Crosse was discharged.

Geor: Horne find for
being distempred
by drink.

George Horne is fined 10^o for distemper wth drinke

w^{ch} his m^r. Willi: Denne vnderooke to see satisfied./

John Smyth bound in 20^l to appear at the next
Courte./

W^m South whipt &
banish.

William South is censured to bee severely whiped,
& kept to the Generall Courte./ by whom hee was
banished to returne no more vpon paine of death./

* So in the original. Moor?

† See Winthrop L. 274, mention of an action against one Gillow at this Court.

M^r. Jⁿ. Wintrop^s M^r John Winthrope iunior tooke the oath of took his oath. Assistants.

The busines of Capt Lovells is referd to M^r Roger Herlak[e]nden & Increase Nowell to examine all things about it both estate & debts./

Edw^d Wilson will The Inventory of Edward Wilson, amounting to & estate. 48^l 2^s 00^d, was delivered into the Court this 4th day of the 7th m^o. by Thom: Wilson, executor of the afore-named Edward, & was received de bene esse./

Jane Drakes legacy It was ordered wth the consent of M^r Rich'd to Jⁿ not. Bellingham that the said M^r Bellingham should deliver Willi: Cheesbro for John Nott 6^l in satisfaction for his $\frac{1}{4}$ p'te of all the goods & chattels given him by his aunt Joane Drake this to bee d^t p'sently & the said M^r Bellingham to bee dischar[g]ed thereof vpon delivery of the same.

Agreem^t betw. Jⁿ^o & W^m ffiske. The agreement betweene M^r John ffiske & his brother William made by M^r John Endecot, Willi: Hathorne John Woodberry & Jeffrey * Massey was

approved in Court wth the consent of p'ties that the said Jⁿ^o shall returne 200^l of the estate in his hands to his brother Willi: & Willi: shalbee bound to give vnto his said Brother John, if hee dies vnmarried before hee comes to the age of 24 yeaeres the sume of 100^l, & the said Willi: did release to the said John in Court all his Interest in the land./

291- Adm^{stra}cion to Rob^t Bills estate. John Knowles (haveing married the widow of Ephraim Davies who was sister to Rob^t Bills) was granted administration of the estate of Rob^t Bills.

Silvest^r Baldwins estate. The will of Silvester Bauldin was p'sented into the court & his wife Sarah & sonne Rich'd were allowed executors according to the will.

[On pages 227 to 234 and part of page 235 is the General Court record for September, 1688. The following Quarter Court record begins on page 235.]

A quarter Courte houlden at Boston the 4th day of the 10th month @ 1638:

prsent,
the Governo^r
the Deputie Go:
M^r John Endecot
M^r Rich'd Saltonstall
M^r Symon Brad-
street

George Walton was fined 10s^r for swearing, & paid it in Court.

John Kinge, Willi: Reeves, & John Davies appearing were discharged till further information bee given about the murtherer they tooke from the island.

* Geoffrey in L. copy.

Mr John Winthrop,
tuni
Mr Israell Stoughton
Increase Nowell. Rob't Shorthose was committed for saying if the magistrate had any thing to say to him hee might come to him, hee was released binding himselfe in 20^l to appear at the next Court, & to bee of good behavio^r the meane time.

James Luxfoard & Beniamin Hubberd are bound in 10^l a peece for the appearance & good behavio^r of Rob't Shorthose.

The Indian w^{ch} had bene kept in prison was released being required to send or Bring satisfaction for the Cowe, or else satisfaction should bee taken frō Na[v]igan *

Thomas Hollaway appearing was discharged.

John Holgrave being p'sented by the grandiury for drawing wine against an order of Court was declared to have forfeited x^l & for causing his daughter to deliver a paper to a Jury man out of Court hee was fined x^l hee was also by the Jewrye found guilty of contempt, & to have broken the rule of hospitality & the peace w^{ch} were remitted him./

Thomas Wilson for takeing above double tole was fined x^l & being p'sented for standing above sixe months excomunica[te] hee was enioyed to appear at the next Courte.

Samuell Basse for his contempt was fined 5^l/

Rich'd Turner for being notoriously drunke was fined 2^l.

William Blanton appearing was enioy[n]ed to Canooes. appeare at the next court † w^{ch} all the men that were in the Canooe wth him, & Aplegate, w^{ch} owned the Canooe out of w^{ch} the 3 ps ons were drowned./ & it was ordered that no Canooe should bee vsed at any fferry vpon paine of 5^l nor no Canooe to bee made in o^r iurisdiction before the next generall Court vpon paine of 10^l.

Also order was appointed to bee given to Rich'd Right † to stave that Canooe, out of w^{ch} these ps ons were drowned.

Dorothy the wife of John Talbie being by her owne confession guilty of the vnnaturall & vntimely death of her daughter Difficult Talbye was by the Jury found guilty, & so was condemned to bee hanged./ \$

William Androws haveing made assault vpon his m'. Henry Coggan struck him diverse blowes, & wickedly conspired against the life of his said m', & not onely so : but did conspire also against the peace,

* Naviganset in L. copy.
† Wright in L. copy.

† These last six words not in L. copy.
§ See Winthrop I. 279.

& welfare of this whole Common welth was censured to bee severely whiped, & delivered vp as a slave to whom the Court shall appoint.

[236] John Haslewood being found guilty of severall thefts, & breaking into severall houses was censured to bee severely whiped, & delivered vp a slave to whom the Court shall appoint.

Gyles Player being found guilty of severall thefts, & breaking into houses was censured to bee severely whiped, & delivered vp for a slave to whom the Court shall appoint.

John Bickerstaffe was censured to bee severely whiped for comitting fornication wth Ales Burwoode.

Ales Burwoode was censured to bee whiped for yelding to Bickerstaffe wthout crying out, & concealing it 9 or 10 dayes.

Katherine Cornish is respited vntill the Court the first m°.

Attachm^t to bee sent out for Ibrooke, & Ralph Smythe.

Rob't Abell for want of sufficient witnes was discharged.

Clement Brigs was not found guilty of extortion & so was discharged.

The towne of Waymoth was fined 10s^r for defect in their high wayes, & day was given them till the next Courte.

The towne of Dorchester for a defective high way was fined 5s^r, & had day given them vntill the next Courte.

The towne of Boston were fined 10s^r for their defective high ways ||& want of a watch house || & day was given till the next Courte.

Attachment was to bee sent out for Edward ffuller.

Henry Webb was discharged for want of sufficient witnes.

The Towne of Concord was fined 5s^r for want of a paire of stocks & a watch house.

The towne of Watertowne for want of a paire of stocks was fined xs^r & had day till the next Courte.

Isaack Sternes & John Page were fined 5s^r for turning the way about, & day was given till the next Courte.

Thomas Cornehill * appearing, & being licensed was discharged.

The wife of Josua Verin was referd to Salem.

An Attachment to bee sent out for George Richards.

Willi: Ballard huiring no other but such as had lots was discharged.

John Coggan † was in like sort discharged because those w^{ch} hee huired were other mens servants./

* Cornall in L. copy.

† Cogan in L. copy.

The towne of Cambridge was fined 10s^e for want of a watch house, pound, & stocks, & time was given them till the next Courte.

John Bets appeared, & was discharged there being not evidence sufficient to gve his overselling./

The towne of Charles towne was fined 5s^e for want of a watch house, & time was given till the next Courte.

John Poole for abusing his servant was fined 5!.*

John Cooper iunior was committed to his father for correction.

ffrancis ffelmingham & Willi: Pester appearing for want of witnes were discharged./

M: Willi: Goose is respited vntill his returne.

Mary the wife of Thomas Oliver for disturbing the Church of Salem was committed to prison vntill shee should find sureties for her good behaviour & appearance at the ^ †

[237] Richard Geaves & Peter Bussaker for quarrelling and fighting are referd to the Court at Salem.

Rich'd Hollingsworth for prophaning the saboth in travelling was censured to bee set in the stocks vpon a lecture day at Salem./

The towne of Ipswich was fined 10s^e for defective high wayes, & time was given them till the next Court to repaire them./

Anthony Emery was fined 20s^e for a pound breach, & enioyned to give Thomas Coleman 13^e 4^d for his charges.

Thomas Savory for his grosse lying was referd to the Court at Ipswich.

The towne of Neweberry was fined 5s^e for want of a paire of stocks, & time was given them till the next Courte to make them.

Thomas Terry was enioyned to appear at the next Courte to answear further.

An Attachment was granted for Jarvice Mudge to appeare at the next Courte.

John Haward being chosen Cunstable for the towne of Dedham did take his oath the 5th 10th m^o 1638.

Thom: Brooke being chosen Cunstable for the towne of Concord did take his oath the 8th 10th m^o 1638.

⁴⁰⁹ ^ † Ewar was alowed executrix of her husband Thom Ewar, deceased.

An Attachment was granted for John Harrison, gen^t.

* See Lechford's Note Book, p. 25.

† See Winthrop I. 281.

‡ The widow Ewar in L. copy.

[238] A Quarter Court held at Boston the 5th day of the first month
 @ 1638 or 1639

present,
 The Governor
 the Deputy Gover
 M^r Endicott
 M^r John Winthrope,
 iu:
 M^r Richd Saltonstall
 M^r Israel Stoughton
 & Increase Nowell

John Davies for grosse offences in attempting
 lewdnes wth divers woomen was censured to bee se-
 verely whiped both heare & at Ipswich, & to weare
 the letter V vpon his breast vpon his vppermost
 garment vntill the Court do discharge him.

John Greene dying in the house of Daniell
 Brewar, administration was granted to the said
 Brewar./

Willi: Blanton, Willi: Potter, Rob't Thorpe, Henry Neale, John
 fitch, & Thomas Aplegate appearing were discharged wth an admoni-
 tion not to adventure too many into any boate.

Thomas Boyse haveing attempted a rape wth Sara Jusall was cen-
 sured to give the mayde 5^l, & to bee whiped & imprisoned a time.

Willi: Judson appearing was discharged.

Isaack Deesbury was committed & fined 5^l for stealing at Pecoit out
 of w^{ch} the 3 witnesses are to have 5^s a peece, & the psecuto^r 10s^l.

Ralph Smyth appearing was discharged.

Rich'd Ibrooke for tempting 2 or more maydes to vncleannes was
 fined 5^l to the country, & 20s^l a peece to the 2 maydes Rebecca Phippen
 & Mary Marsh.

Thomas Aplegate was appointed to have 29s^l for his Canooe, when
 the armes w^{ch} hee borrowed are returned back as good as they were
 when he borrowed them.

James Meadecalfe not being returned from Pascataque M^r Samu:
 Maverick had granted him liberty till the next Court to bring him
 in./

Edward Saunders being sick at Pascataque Nicolas Davyson had
 liberty till the next Court to bring him in./

John Hogges,* for swearing Gods foote, & cursing his servant,
 wishing a poxe of g[o]d take yo^u was find 5^l./

John Harrison not appearing a new attachment was granted.

Chaulkley the wife of Robert Chalkley not appearing
 attachment was granted for her to appear at the next courte.

Ric'd Silvester was fined 12^s for selling strong water, w^{ch} hee paid
 into the Court.

Robert Shorthose was set in the bilboes for sleiting the magis-
 trate in his speaches.

* Hoggs in L. copy.

James Ludden had granted his 10s^t against Cutshamache, who warned him to appear, & did not come to prosecute./

Edmond Audley is granted administration of the goods of Francis Dent deceased vpon the testimony of John Winge, & Sargent Davies,* upon oath./

An Attachment was granted for John Harrison.

An Attachment for Chaulkley, the wife of Rob't Chaulkley.

[From page 239 to page 253 is the General Court record for March, May and June, 1639. Page 254 contains lists of freemen for May and June, 1639, and also the first part of the following Quarter Court record.]

The 4th day of the 4th month @ 1639 A Quarter Court held at Boston

p'sent,
the Governor
the Deputy Govr
M^r Endecott
M^r Bellingham
M^r Rich^d Saltonstall
M^r Stoughton
M^r Bradstreet
Increase Nowell

Y^e following 3 pages omitted
a[re] q[ue]st^r
Courts^t

the law about hogs & against a particular magistrate was fined ten pounds, whereof the three witnesses to have 6^t 8^d a peece./

Henry Laurence was for the p'sent discharged about Capt. Bonito his servant./ ‡

M^r Samuell Maverick being bound in ten pounds for the appearing of James Meadcalfe forfeited his recognisance.

M^r Nicho: Davison being bound in ten pounds for the appearing of Edward Saunders forfeited his recognisance./

John Stretton vpon evidence of his repentance was freed from his bond to the good behavio^r wth an admonition./

John Emerson appearing was discharged of his recognisance.

Thomas Bushrode haveing warned David Phippen, Joseph Androws, & Henry Coggan to appear at this Court, & himselfe not appearing to prosecute the Court gave iudgment for 10^t a peece to bee alowed them, & if payment bee not made, execution to bee graunted them.

Samuell Norman was Committed for want of security, & was censured to be whipped, for saying if ministers w^{ch} come will but rail against England some would receive them./

[255] Katherine the wife of Samu: Finch promised to go to the ordinances, & to carry herselfe dutifully to her husband./

* First written Dampart.

† This marginal entry is in Rawson's hand.

‡ See Lechford's Note Book, p. 51.

M^r John Harrison appearing was fined 10s^e for his former not appearing, & admonished not to vse gameing./

John Palfin,* for was fined 20s^e & vpon his submission hee was remitted 10^e, & paid in the other 10^e. I. N.†

John Gibons for was fined 10^e by the Governo^r Deputy, & Treasurer & paid it (to the Treasurer [oxi])‡

William Bartlet for distemperedness in drinking & lying was fined 20^e by the Governo^r Treasurer, & Secretary./

Ellen Peirce was fined 40sh^e for Cursing & wicked imprecations, & to pay the 2 witnesses 2^e a peece./

Elisabeth Chaulkley ||of Charlestowne|| was enjoyned to give double restitution for the eggs & things wth shee stoale./

All townes had respit to bring in the transcripts of their lands vntill the nexte Courte./

M^r Goouch of Newberry for selling strong water wthout leave was fined 10s^e.

John Bayly was fined 5^l for buying land of the Indians wthout leave wth condition if hee yeld vp the land to be remitted./

Edmond Greenliffe was referd to Ipswich Courte.

Thomas Hale § was also referd to the Court at Ipswich./

The p'sentment of Ipswich for defective high wayes was avoyded for want of witnes, & for vncerteinty.

Goodman ffoster & Henry Archer are referd to Ipswich Court.

Daniell Clarke is referd to Ipswich Courte also./

ffrancis Perry is referd to the Court at Salem.

John Elford & Willi: James had respite till the next Courte.

The wife of Hugh Burt was fined 40^e for cursing & swearing./

Adam Haukes is referd to the Court at Salem./

Edmond Audeley is referd also to Salem./

John Haule ¶ about correcting his boy was discharged./

Linn was fined 10^e for their bad wayes, & to mend them by the next Court, & to lay the ferry in a convenient place.

Rob't Longe was discharged for want of quafe./

M^r John Woolrich & William Bachiler had respite till the next co't.

Charlestowne was discharged about Rich'd Lowdens lot./

* Paulfin in L. copy.

† These initials of Increase Nowell are not in the L. copy.

‡ These four words not in L. copy.

§ Hall in L. copy.

¶ Haul in L. copy.

Thomas Cornehill * was fined 30^d for several offences selling wine wthout licence, & beare at 2^d a quart. hee had warning the 10th 4th m^o.†

Robert Turner was discharged for want of proofe./

Boston was fined 20s^e for defective high wayes, & enioyned to repair them vpon the penulty of 5^l the stocks were ready compleate.

The widow Hudson was discharged, her husband being dead./

Roxberry was fined 10^e for daming vp the nearest way from Boston to Dorchester & had liberty till the next Court to make the way so as a loaden horse carrying a sack of Corne may passe./

Roxberry was fined 2^e 6^d for the defectiveness of the bridge at Muddy Ryver & had liberty to amend it till the next Courte.

The p'sentment of the bridge at Dorchester brooke is discharged for want of proofe./

Willi: Dennison & Thomas Wilson had liberty till the next Courte./

[256] Dorchester had liberty to vse Sergent Collicots house for a watch house./

The p'sentments of Dorchester high wayes & bridges were discharged for want of proofe./

Nicho: Ellen was fined 40s^e for idlenes & disorderly liveing & had liberty till the next court to settle himselfe./

Captaine Staughton was fined 40^e for releasing his man before the expiration of his time./

Waymorth was fined 10s^e for their bad way at the steping stones & were enioyned to amend it by the next Court vpon paine of 5^l.

Thom: White had 10s^e granted him being a witnes./

M^r Waltham & M^r Rich'ds were fined 5^e for want of scales & weights in their mill, & to qvide them by the next Courte.

M^r Waltham was fined 3^l for takeing too much tole in some aboue double what was dew, whearof 20^e to bee given the witnesses.

Ralfe Allen was fined 10^e for releasing a servant before the expiration of his time./

Hingham had liberty to vse their meeting house for a watch house.

Hingham was acquitted from the p'sentment about Thom: Turners lot it being but reserved for him./

Dedham was fined 2^e 6^d for want of a paire of stocks./

Ferdinando Adams was discharged the p'sentm^t not beeing found opp'ssion./

* Cornell in L. copy.

† See Lechford's Note Book, p. 55.

Willi: fuller, w^{ch} kept the mill at Concord was fined 3^l for grosse abuse in overtoaling./

The towne of Concord was discharged the lot* to Robert Edwards being but reserved for him.

Rob't ffletcher was discharged being not found faulty./

Concord was fined 5^s for want of a watch house.

Watertowne was fined 5s^t for want of a paire of stocks, & enioyned to prepare them by the next court, vpon paine of 40s^t./

John Gosse for comon railing was disfranchised, fined 20^l & committed to prison./

Willi: Hamon not appearing attachment was granted for him.

Watertowne was discharged of the p'sentm^t for the high way to the mill for want of proofe./

Watertowne is fined 10^s for the bad way at John Pages, & enioyned to make good the way vpon paine of 5^t./

Daniell Abbot is departed to new p'vidence./

Cambridg is fined 5s^t for want of a pound./

Cambridg is discharged from the p'sentment about stoping fish it being p'sently reformed./

John Masters having licence was discharged./

Cambridg was fined 10^s for defective high wayes, & enioyned to repair them by the next Court vpon paine of 40s^t./

Cambrige was enioyned to repair their wayes at long swampe & vine brooke leading to Concord vpon paine of 5^t/

The p'sentment of John Chairytes † wife was mistaken

⁴²⁵ The will of Joseph Harvey wth his inventory was delivered into the Court amounting to forty eight pounds 2^s & 9½^d.‡

The will of M^r Abraham Mallows was delivered in

M^r ||John|| Beniamin gave in the Account of Rich'd Gurling whereby onely 4^s appeareth remaining dew to widow Gurling.

[257] A Quarter Court held at Boston the 3rd day of the 7th month
@ 1639 :

present
The Governo^r
The Deputy Gov^r
M^r Endecott
M^r Humfrey
M^r Beltingham

John Stacy iunior for being distempered with drinke was set in the stocks.

Ralfe Warriner was fined 10^s for being at excessive drinking at Thom: Grayes at Marble Heade./

* Of the lot in L. copy.

† Gayries in L. copy.

‡ 9^s 0^d in L. copy.

M^r. Saltonstall
 M^r. Wⁱⁿthrop, Junⁱ
 M^r. Bradstreet
 M^r. Stoughton
 Incr. Nowell.

Nicholas Merry was fined 40s^e for seling strong water.

John Neale for running away and stealing was censured to bee severely whiped, & committed to his master to bee kept chained./

Richard Wilson for stealing 8^l of money & diverse small things from his m^r Samuel Wade was censured to bee put fourth to servise for 3 or 4 yeares except hee can procure 10^l, also hee is to have a T set vpon his vpmost garment, the servise is to bee wth his m^r, if his m^r will have him, or else to bee put out by the Countrey./

Rich'd Turner for being drunke was fined 20s^e.

Willi: Davies for sondry drinkings at his house was fined 3^l.

Robert Penyer is bound in 10^l to appear at the next Court. Thom: Turner & John White are bound in 5^l a peece for Peniars appearance.

Thom: Bushrode being accused of defaming the government was Comited & fined 6.13^l 4^d, wth paying to bee discharged./

Hugh Burt had 20^o of his fine remitted him, & pd in 20s^e & is discharged.

Marmaduke Peirce being accused of suspition of murther, & the matter not appearing cleare it was refered vntil the next quarter Court, & the Jewry was enioyned then to appeare.*

Daniell Clarke being found by the Jewry to be an imoderate drinker was fined 2^l whereof 3s^e was paid the Jewry, & the other 37^o pd I. N.

John Simpson was enioyned to pay Cap^t Jeanison 8^l, & M^r Browne 5s^e, haveing warned them to appear, & not psecuting./

John Wedgwood for being in the Company of drunkards was to bee set in the stocks at Ipswich./

Rich'd Cooke is granted 20s^e against Thomas Robinson for vniust molestation./

Jarvise Mudge appearing ^

John Pemberton being warned by John Baker to appear at the Court at Boston, & Baker not appearing to psecute, the Court granted John Pemberton 50s^e damage./

John Kempe for filthy vncleane attenip[t]s wth 3 yong girles was censured to bee whiped both heare, at Roxberry & at Salem very severely & was Committed for a slave to Leif^r Davenport/

* See Lechford's Note Book, p. 139. Also Wⁱⁿthrop I. 318.

Willi: Androws, who was formerly Committed to slavery for his ill & insolent Carriage, is released (upon his good Carriage) from his slavery, & put to M^r Endecott hee qmising to pay Henry Coggan 8^l, & so Androws is to serve M^r Endecot the rest of his time.

Mathewe Edwards for puting his hand vnder a girles Coates was censured to bee whipped.

Thom: Knore for selling a potfull of strong water wthout license was fined 5s^o.

Nicholas Davison for swearing an oath was ordered to pay 20s^o, wth hee consented vnto.

John Hogg for his drunkennes was fined 10s^o.

John Kitchen for shewing books wth hee was comanded to bring to the Governo^r, & forbidden to shew them to any other, & yet shewed them to other was fined 10s^o.

[258] John Joanes for defileing his wife before marriage was fined 20s^o.

John Davies vpon his good Carriage was discharged from wearing the V wth was formerly enjoyned him./

Rich^r Silvester had 6^l of his fine respited vpon his good behaviour, & hee paid in the other 6^l/

Thom: Gray, for being drunke, prophaning of the name of god, keeping a tipling house, & drawing his knife in the Courte, was censured to bee severely whipped & fined 5^l.

Rich'd Redman & Thom: Warner, for quarelling were fined 5^o a peece, & paid it in./

John Lee is discharged of his fine haveing paid 5^l formerly

Rich'd Perry iunior was granted 5^l damages for the long wanting of the 27^l wth should have bene formerly p^d & was deferred vntill this weeke past, & the trouble about it.

M^r Thomas Lechford for going to the Jewry & pleading wth them out of Court is debarred from pleading any mans cause hereafter vnless his owne, & admonished not to p'sume to meddle beyond what hee shalbee called to by the Courte.* [ordered]

William Gutridge † was enioned to take Care of Ales Burwood vntill hee may bee lawfully discharged of her.

Thomas Millard, Ephraim Pope, ffrancis Gold ||& Thom: Burkbee|| being watchmen drinking severall times strong water were imprisoned, & Burkbee & were set in the stocks for being drunke.

* See Lechford's Note Book, p. 117.

† Gurtridge in L. copy.

Edward ffuller & Edward Convers were bound in 20^l a peece for the appearing of Edward ffuller at the next Courte./

[On pages 259 to 269 is the General Court record for Sept. and Nov., 1639.]

[270] the 31th of the 8th m^o, 1639:

A Court held at Boston for small Causes not exceeding 20^l except for strangers

present,
The Governor
The Deputy Govr
M^r Bellingham
M^r Stoughton
& Incr. Nowell.

John Woolrige for his drunkennes was fined ten pounds whereof 8^l was paid mee In: Nowell, & 2^l is in the hands of M^r Coddington.

Rich'd Joanes for his Cheating, was censured to bee whiped, & put to the assigne of the party wronged to make satisfaction for the money wth hee did receive, & hath spent.

Edward Convers brought in Edward ffuller, & stands bound againe for him to appear at the next Court./

John Johnson is by order of Court freed from training paying ten shillings p annum to the company./

Thomas Marriner (servant formerly to Robert Smyth) is for the p'sent discharged vntesse his master hereafter can shew sufficient Cause to the Contrary./

Willi: Powell for resisting the surveyar is fined 40s./

John Clois is admonished to vse his servant Peter Tylls well, or else the said Peter to bee discharged, & to take course, that hee may bee taught his trade of a seaman by himself or others

M^r Israell Stoughton being formerly fined 40s^e is discharged of the same it being remitted because hee could not hould his servant having no Covenant./

Robert Penyar appearing his surety was discharged: but an attachment was granted against Penyar for going away vndischarged.

Edward ffuller & Thomas Sheppe for being distempered wth wine were enioyned to appear at the next Court./

Richard Penne not Appearng forfeited his recognizance of ten pounds./

the 8th Day of the 9th month @ 1639

Thomas Symonds was enioyned to appear at the quarter Court about M^r Eatons house, & the Colledge.

Rob't Driver was enioyned to appear at the quarter Court./

Abraham Morell was enioyned to appear at the quarter Court./

Tacye for swearing was fined 10s^e wth M^r Trerice vnder-tooke.

[271] A Court of Assistants or Quarter Court held at Boston the 3rd of the 10th mo, 1639:

present,
the Governo:
the Deputy Govr
Mr Endecott
Mr Bellingsham
Mr Humfrey
Mr Saltonstall
Mr Winthrope, iu:
Mr Stoughton
& Iner: Nowell.

M^r John Hogges * was remitted three pounds of his fine of five pounds.

An Attachment was granted against the wife of Sam: Finch for her appearance at the next Court./ Rich'd Pepper for his extortion was fined 5'. /

The towne of Roxberry for neglect of their order about swine was fined ten pounds: but they are to bee exempted, w^{ch} did endeavo^r to execute the order.

James Luxford being p'sented for haveing two wifes, his last marriage was declared voyde, or a nullity thereof, & to bee divorced not to come to the sight of her whom hee last tooke, & hee to bee sent away for England by the first opportunity, all that hee hath is appointed to her whom hee last married, for her, & her children, hee is also fined 100', & to bee set in the stocks an houre vpon a market day after the lecture, the next lecture day if the weather pmit, or else the next lecture day after.

M^r Samu: Maverick paid in 5' of his recognisance of 10' the other was respited, till it appear whether it may bee recovered from James Meadecalfe.

the Iury which went
vpon Peirce
Nicho: Willis
Robert Scot
John Button
Griffin Bowen
Will: Dade
Steven Fosditch
James Garret
Robt Cutler
Will: French
Thom: Brigham
Robt Saund's
Rog Shawe

a. Marmaduke Peirce being indited vpon suspition of murther was found not guilty; but was bound to the good behavio^r, & to appeare at the next Court, & to pay the witnesses, & Nico: Davies was bound in 20' for his appearance./†

Elnor Peirce her husband was bound in 10' for her good behavio^r, & to bring her to stand in the market place the next market day wth a paper for her light behavio^r.

Quick was appointed to stand in the market place wth a paper for her light behavio^r the next 5th day.

a. Lewes Hewlet for his extortion was fined 20s^s, & was bound over in 10' to the next Court ||the first month|| for his contemptuous speaches./

Jane Robinson for disorder in her house, drunckenes, & light behavio^r was censured to bee severely whiped./

* Hoggs in L. copy.

† See Lechford's Note Book, p. 139. Also see Winthrop I. 318.

Margaret Hindersam* was censured to stand in the market place wth a paper the next market day, for her ill behavio^r, & her husband was bound in 5^l for her good behavio^r, & to bring her to the market place at the time appointed for her to stand there./

Thomas Dickerson was censured to bee severely whiped, & condemned to slavery./

Robert Penyar for his vnclean attempt, & his flying when hee should have appeared was censured to bee whipped./

John Vaughan is to appear at the next Court./

Isaac Deesbro is bound in 10^l to appear at the next Court at Salem, & at the next quarter Court at Boston.

John Farrington is bound wth Deesbro in 10^l for his appearance./

[272] M^r Thomas Allen appearing was discharged the painting being before his time, & disliked of him./

The towne of Salem, for not keeping Constant watch [this summer] was fined 10s^s./

An Attachment was granted against Ipswich because none appeared to answer for their defective wayes, & 10s^s costs./

Concord for not giveing in a transcript of their lands was fined 5s^s, & for neglecting their watch 10s^s./

Dedham for want of weights & measures was fined 5s^s.

Cambridge for defect of the way at Vine brooke & long swampe are referd to the former fine of 5^l.

And for want of stocks are fined 5s^s.

And for neglect of a constant watch are fined 10s^s.

Charlestowne meeting house is alowed for a watchhouse.

Linn for not keeping constant watch is fined 10s^s.

And for want of sealed weights is fined 5s^s.

And for not giveing in a transcript of their lands 5^l.

Boston for defect of their wayes between Powder Horne Hill & the written tree is fined 20s^s & enjoyned to mend them.

Dorchester for not bringing in a transcript of their lands are fined 5s^s.

Waymoth for want of a sufficient watch house is fined 5^l.

And for neglect of keeping constant watch is fined 10^l.

And for not delivering in a transcript of their lands is fined 5s^s.

* Hindersham in L. copy.

And ||Waymooth|| for not looking to the execution of their order about swine Waymooth is fined 3^l.

Hingham for not making sufficient fences is fined 5s^e & hath time to mend their fences till the 4th month./

And for defect in their high wayes are fined 10s^e.

And for not keeping Constant watch Hingam is fined 10s^e.

Leif^r Duncan is appointed to take an Inventory of the goods of Sarah Lishe — to pay the legacies, & to keepe the rest till further order./

The Governo^r had leave to keepe a Naviganset * Indian, & his wife./

[273] A Courte held at Boston the 30th of the 11th m^o 1639 :

present,
the Governo^r
the Deputy Gov^r
M^r Bellingsham
M^r Humfrey
& Increase Nowell. William Waltham for being drunke aboard the ship called the Bristowe Marchant, w^{ch} hee confessed was fined twenty shillings it being the first time that hee was knownen to bee drunke, & so was seriously admonished, & dismissed. ||This 20^e was paid in||

John Vaughan haveing defiled & refused to marry her was Comitted to prison till hee should give sufficient security to qvide both for the mother & the Child, or marry her whom hee hath defiled./ †

A Court of Assistants held at Boston for a Quarter Court the 3rd day of the first month 1639-1640 :

present,
the Governo^r
the Deputy gov^r
M^r Bellingsham
M^r Humfrey
M^r Wintrop^e iunt:
M^r Saltonstall
M^r Bradstreete
M^r Stoughton
& Incr. Nowell. Rich'd Pepper his fine of 5 pounds is remitted to 6^d 8^d w^{ch} hee paid

Thom: Davenport for huiring John Parish to cast baules of paste wth Copperas in them, & cast it into a mans yard was admonished seriously to take heed of doing the like.

There is ten pounds delivered the Governo^r by one that had failed by taking too great prizes for his Comodities ||hee|| hav^e. satisfied the parties whom hee sould the Comodities vnto./

Thom: Blumfeild is appointed administrato^r to his father John Blumfeild deceased & to have the house & ground, & the lame daughter to have the overplus of the goods not disposed of./

the will & inventory to bee recorded./

* Narhiganset in L. copy.

† These last seven words not in the L. copy.

Samu: Basse his fine of 5^l vpon his petition was remitted him
 Micha: Iver being called, & not appearing forfeited his recognisance.

This Courte gave way to the Governo^r to free his servant Thom: Philips so far as they have power.

Hester Ketcham is freed from her servise wth her m^r John Woolrige, & the said m^r enioyned to give Ketcham 20s^e charges & the said m^r, John Woolrige, is bound to his good behavio^r, & enioyned to appear at the Court the 7th m^o next, & to put in sufficient caution for the good behavio^r & appearance.

M^r John Coggan had authority given him to receive of M^r Willi: Tyng 9. 8s^e for wth M^r Coggan is to free M^r Ting as the Court shall direct, & bee responsall for the same./

John Knight is bound in 5^l to appear at the Court at Boston the 2^d month.

John Dunvard bound his land, & 20^l more to appear at the next Court.

Lewes Hewlet, not appearing forfeited his recognisance of 10^l.

Isaack Deesbro & John Farrington forfeited their recognisance.

Marmaduke Peirce appearing was discharged being enioyned to pay the witnesses as hee should bee able.

M^r Henry Seawall for his Contemptuous speach & carriage to M^r Saltonstall was enioyned to acknowledg his fault publikely at Ipswich Court, & to bee of good behavio^r, & was enioyned to appear at the next quarter Court vnles the Court of Ipswich do release him from the good behavio^r & from his appearance at the quarter Court. hee bound him selfe in 66^l 13^s 4^d for his appearance & good behavio^r./

[274] The 30th of the 2^d month @ 1640

A particuler Court held at Boston for small Causes.

present,
 The Governor
 The Deputy Gov^r
 the Treasur: M^r Bel:^{*}
 M^r Stoughton
 & Increase Nowell.

Thomas Buckmaster being in distres is granted thirty bushells of corne, & money to make it vp ten pounds, wth was appointed to be paid him by the treasurer.

John Clare is fined 20s^e for being drunke, wth Christofer Grant vndertooke to satisfy.

John Pope for his unchast attempt upon a girle, & dalliance wth maydes, & rebellios or stubborne carriage against his master was censured to bee severely whiped.

* M^r Bel: not in L. copy.

John Danvard being accused of uncleanness was bound in 20^l to appear at the Court the 4th month vnles hee avoyde out of Waymoth before that, & to pay the Cunstable 20^s for witnesses.

George Palmer having committed folly wth Margery Rugs through her allurement, because hee confessed voluntarily, hee was onely set in the stocks, & so dismissed.

Margery Rugs for intiseing & allureing George Palmer was censured to bee severely whiped.

Charles towne haveing chosen Rob't Longe to sell wine this Court doth allow him till the quarter Court.

Boston haveing chosen William Hudson to keepe an ordinary this Court doth allow him till the quarter Courte.

Nathaniell Travell appearing was admonished to acknowledg his offence in his scandalos & slauderos speaches of severall ps ons, w^{ch} hee qmised to do, & to take advise, & so the Court discharged him upon triall./

[Pages 275 to 280 contain the record of the General Court 13 May, 1640. Page 281 contains lists of freemen for May and September, 1640.]

[282] At a quarter Court houlden at Boston the 2nd day of the 4th m^o
@ 1640:

prsent,
M^r Deputy Bel:,
M^r Winthrope, seni
M^r Endecott
M^r Humfrey
M^r Winthrope junii
M^r Saitonstall
M^r Stoughton
Incr. Nowell.

Leonard Bowtle * for neglecting to obey a warrant served by the Cunstable was fined 10s^s. /

M^r Browning for seling strong water was fined 5^s witn: to ha: 2^s of it

M^r Tynge & M^r. Davison are desired to examine the accounts between M^r Joanes & M^r. Mayhewe./

Muddy River The Charge of Muddy ryver bridge bridge.† being 15^l 3^s 6^d was ordered to bee allowed as followeth By Boston, 6^l: by Roxberry 5^l: Dorchester 1^l 7^s 8^d Water towne 1. 7. 11^d Cambridge 1^l 7^s 11^d. /

George Hurne is Comited to bee layd in yrons & to bee whiped to morrow for his insolent & contemptuous carriage.

John Hogge not appearing ^

James Davies for his unquietnes wth his wife was enioyned to appear at the next Court of Assistants.

* Buttolph in L. copy.

† In modern hand.

Henry Chapman for not obeying a presse was fined 5s^d.

M^r John Woodbridg is discharged of his p'sentment for releasing a servant paying 2^d 6^d.

Robert Tucker for upbraiding James Brittaine calling him lyar, & saying hee could que him so being a witnes, was fined 20^s, & enioyned to acknowledg the wrong hee had done Brittaine.

M^r Peter Bulkeley is granted the Corne of Alexander Thwayte & to bee responsall for it if hee come to answere the suite./

Willi: Powell for his sinn in geting his wife wth child before marriage was fined 40s^d. Denying it often, & [a]* confessing.

Thom: Gray was censured to bee severely whiped for his drunkennes & other misdemeano^r at Marbleheade, wth M^r Endecot tooke the Care of by undertaking it.[†]

goodyy ffinch was censured to bee severely whiped to morrow, & so kept in prison./

Thom: Savory for breaking a house in the time of exercise was censured to bee severely whiped, & for his theft to bee sould for a slave vntil hee have made double restitution.

Henry Allein & Clement Weaver for drunkennes were fined 10s^d a peece.

M^r Barnard for giveing a gallon of strong water amongst certein persons at worke at his house wherof Allen & Wever were two was fined 3^d.

Rob't Abels busines is refered to M^r Stoughton to inquire.

Elisabeth Lovel was admonished for her immodest exp'ssions, enioyned to pay the witnesses, & so was dismissed./[‡]

John Downham for geting his wife wth child before marriage was fined 20s^d./

Hingham being p'sented for defective wayes & bridge, & the Court being certified by hen: Smyth that they are mended they were fined 2^d 6^d, & discharged./

Edward Converse was fined 10^s because the ferry had bene neglected./

Thomas Bell being settled since the p'sentment is respited.

the way of Dorchester being p'sented is deferd to veiwe.

M^r Rich'd Dummer for want of weights & scales [wth] were supplied 5^s.

* After in L. copy.

† See Lechford's Note Book, p. 149.

‡ These last nine words not in L. copy.

Neweberry for want of towne weights & measures fined 6. 8^d.
Salem for neglecting their watch was fined 10s^s:

[283]

The 30th of the 5th m^o 1640

present,
the Governor:
the Deputy go:
Mr Winthrop, se:
Mr Stoughton
Incr: Nowell.

John Tower for his disturbance of the peace & his offence thereby against the Common welth is fined five pounds:

Two indian weomen were adiudged to bee whiped for their insolent carryage, and abusing M^r Weld./

Elisa: Bennet was censured to bee whiped for her unchast carriage

M^r John Hogges for his drunkennes is fined five pounds

John White is bound in 10^l for to bee of good behavio^r, & not to come into the Comp^a of Bulls wife alone, & to appear at the quarter Court the first 3rd day of the 10th m^o next

John Wily & George Orrice bound themselues in 5^l a peece for the forenamed John White

Hope the Indian was censured for her runing away, & other misdemeano^r to bee whiped hear & at Marble heade.

Isaack Hart bound himselfe in 20^l to bee of good behavio^r & M^r Robt Saltonstall bound himselfe in 10^l for the said Isa: Hart his good behavio^r till hee dept out of the plantation, or bring a note frō that hee is free from fear.

Joell Jenkin is bound over to the next gen^all Court for geting his m^r. his daughter wth child :

The 20th of the 3th m^o @ 1640

present,
the Deputy go:
Mr Winthrop, se:
Increase Nowell.

Henry Illery being drunke the night before, & calling Walter Merry knave, & saying further to him a member a dog hee was fined 10^l, & to go to prison till hee have paid it./

John Barnes likewise : for being distempred with wine was fined 10s^s:

Daniell Hutchins bound himselfe in 10^l to appear at the Court to answer for neglect of the 2 children in the ship, wth were comited to him./

Willi: Kilcup & Rich: Haines bound themselues in 5^l a peece for the appearance of Dani: Hutchins.

6th m^o 27 Henry Bright tooke his oath for to discharge the place of survayar of the armes in Watertowne this year, & till a new bee chosen.

M^r Samu: Winslew* is sworne surveyar of the armes at Colechester.

John Gosse had ten pounds of his fine of 20^l remitted.

John Burrows for going into other mens houses in the night & upon the lords day in the time of exercise was censured to bee whiped./

the 8th Day of the 8th m^o 1640

John Knight for his drunkennes swearing, & other disorder was censured to bee severely whiped./

Daniell Houchens † haveing given satisfaction to the father of the children w^{ch} were neglected is freed from his attendance at the Courte any further./

15. John Davies, & Henry Messenger are bound in 20^l a peece, & each for other to appear at the next generall Courte.

John Crabtree Willi: Hudson & John Hill † bound themselues in 20^l a peece that what shalbee adiudged by the Courte to bee overpaid shal bee returned to M^r Hibbens./

[On pages 286 to 292 is the record of the General Court for October, 1640.]

[293] A perticuler Court held at Boston the 29th 8th m^o 1640 :

p^rsent,
the Governor
the Deputy Gov^r
M^r Winthrope, sent:
M^r Isa: Stoughton
& Iner: Nowell.

Henry Edwards, & Willi: Hudson are discharged from their recognisance./

Beniamin Pauly for his distemper wth wine was ordered to pay 10^l, & paid in the same./

Nicho: Davison byll of 200^l being delivered into the Court by Sill was ordered to bee kept by the secretary.

Joseph Shawe & Nicho: Byram are granted administration of the goods of Abraham Shawe deceased./

Willi: Hamond deposid that Edmond Greenliffe served him wth warrants to appear at two Courts, & causing him to appear did not psecute. Hamond was granted against the said Greenliffe 20s.

John Porter, John Ottis, Thom: Minard, & Natha: Baker being called to bee witnesses were granted 6^l a peece & Graves § 1^l all to bee paid by the Country./

John Dutton for swearing, stealing, & drunkennes was censured to bee severely whiped./

John Parker was granted 20^l against Thom: Clay for not psecuting, causing him to attend 3 dayes wth witnesses./

* The final w seems to have been cancelled. It is Winsley in L. copy.

† Hutchins in L. copy.

‡ John Hill not in L. copy.

§ Or Geaves.

Attachment was granted to Thomas ffowle against Thomas Owen to attach such goods as are in his possession for performance of his bargaine of corne./

It is ordered M^r Stoughton should heare busines betweene Rich'd Lange, & the towne of Waymorth, & M^r Stoughton hath power to call for the towne booke, & make report to the co't if the cause do require it./

[294] A quarter Court held at Boston the first day of the 10th m°
1640

present,
M^r Governo^r
M^r Deputy
M^r Winthrope, seni:
M^r Humfrey
M^r Saltonstall
M^r Winthrope, junii:
M^r Stoughton
& Increase Nowell.

The towne of Cambridge upon quafe that the way at vine brooke & long smap* was repaired before the declaration of the defect was discharged of the fine of 5l.

Watertowne ffreemen promising to yeld to ev'y townsman his gportion alike according to rule, wthout respect to freedome or not freedome were dismissed

George Richardson is bound to the good behavio^r in 20^l, & to appear at the quarter^A† the 10th m° 1641. Henry Curtis & Willi: Knope are bound for George Richardson [in 10^l.]

Giles Player haveing taken from the deputy governo^r a boate & other things of 15^l valewe, & from Leift Davenport the worth of 5^l hee is committed to them till they bee satisfied./

Joell Jenkin upon his repentance was discharged./

Rob't Rendall is deferd till the next quarter court./

The towne of Braintree were enioyned to make their pound, stocks, & watchouse by the quarter court in the first month.

Dorchester, & Roxberry the bridge, & way being repaired were discharged./

Boston the wayes being newe layde out had time to repair them between powder horne hill & the written tree till the ^

M^r Thomas Lechford acknowledging hee had overshot himselfe, & is sorry for it, qmising to attend his calling, & not to meddle wth controversies was dismissed.‡

Willi: Bartlet the pilfering not being qued was discharged
newe suūons was to bee sent for Robert Bartlet./

Charlstowne meeting house was formerly alowed for theire watch house./

* So in the original. *Swamp* in L. copy.

† Corr in L. copy.

‡ See Lechford's Note Book, pp. 117, 176.

Samuell Dunkin there being a mistake in the presentment as appeared by the witnes was discharged./

Concord & Sudberry in regard of the snow were defer'd till the quarter Court in the first month./

Willi: Wake was councelled to go whom * to his wife, & upon his promise so to do, his repentance, & testimony of his good behav' hee was discharged./

~~Salem.~~ Salem meeting house is alowed for their watch-house.

Robert Crosse is remited to Ipswich Court./

James Hubberd is discharged the hurt being little, & done unwitting the other pressing in upon him./

Linn was enioyned upon paine of 10^l to repair their wayes by the quarter court in the 4th m^o next./

~~Linn.~~ Linn meeting house is alowed for their watch-house.

Rowley p'sentments are defer'd till the quarter court in the next first month.

Colechester p'sentm^s are defer'd till the quarter court the first month.

Hampton p'sentm^s are defer'd till the quarter c't p^o m^o.†

~~Hingham.~~ Hingham meeting house for the p'sent is alowed for their watch house.

Christopher Batte for selling his servant his time is refer'd to the Court at Ipswich.

It was ordered that John Twogood should bee sent to his dame the wife of Thomas Marshfeild at Conecticot by Rob't ffēñ, the father of the said Twogood haveing put him a servant to Tho: Marshfeild.

[295] the comission about M^r Edmond White & M^r Woolcote § is renued for M^r Deputy Bellingham, Incr: Nowell, & M^r Thomas Mayhewe to examine the accounts.

M^r Collens, M^r Sparhauke, & goo: Bridge¶ are desired to heare businesses betwen John Smyth, & his father Jeremy Norcros, & examine accounts, & settle things if they can, if not to make report to the Courte, if there bee cause./

Henry Stevens for fiering the barn of his m^r, M^r John Humfrey hee was ordered to bee servant to M^r. Humfrey for 21 years from this day toward recompencing the losse./

* Home in L. copy. † In modern hand. ‡ Quarter Court the first moneth in L. copy.
§ Wolcott in L. copy. ¶ John Bridge in L. copy.

Samu: Hefford * haveing bene much misused by his m^r. Jonathan Wade hee is freed from the said M^r Wade, & is put to John Johnson for three yearees, & to have 6^l wages p @, & for the other 1½ years it is referd to the court./

Rich'd Nicoles case is referd to the Court at Ipswich
Daniell Bacon is granted 10^l costs against Rich: Neve because hee served him wth a warrant, & psecuted not./

George Rich'dson is granted 10^l costs against James Smyth hee haveing served him wth a warrant psecuted not.

Jonathan Wade is bound in 40^l to bee of good behavio':

M^r Rich'd Parker for seling ½ lb or ¾ lb of gunpowder] to an Indian] being ignorant of the law against it is respited til the gen'all co't.

M^r Henry Webbe his man Roger T[o]le for seling 2 lb of gunpowder to an indian not knowing the law is respited till the gen'all co't

John Stowe for seling shot] to an indian] not knowing the law is respited

M^r Thom: Clarke his man seling 8 lb of shot to an indian is respited

Rich'd Collecot forgetting the] law] against mending indians guns haveing got 2 of their locks to bee mended is respited for his fine till the next gen'all co't

Micha: Willis is discharged being ignorant whose the locks were./

M^r Henry Waltham his sonne being lately dead, & hee discovering his sonne had given 3^l to the publike though no other knew of it was discharged./

goo: Button is alowed 10^l 8^l 9^d for the charge wth Tho: Evans.

Bewet, for heresy, ban-
isht.
the Jury found Hugh Buets† to bee gilty of heresy,
& that his person & errors are dangerous for infec-
tion of others.‡

It was ordered that the said Hugh Buet should bee gone out of o^r iurisdiction by the 24th p'sent upon paine of death, & not to returne upon paine of being hanged./

the Court granted the iury 12^l for their servise

Jury y: tried Buet.	the names of the Jury that tryed Buets
	Edward Rainsford John Rugells
	James Browne Griffin Crofte
	John Martin Isaack Johnson
	John Haule Jonathan Negus
	Thom: Goble Rich'd Trudsell
	Daniell Brewar Christo: Gibson

* Hofford in L. copy.

† Buett in L. copy.

‡ See Wlntrop II. 19.

It was ordered that Alexander Beck should have 24 bushels of corne for Mary Joanes for the time past, & for the time to come a bushell of corne a weeke, & to have two blankets & a rug to keepe her warme./

[296]

A Court at Boston the 28th 11th m^o 1640.

present,
the Governo:
the Deputy gov:
Mr John Winthrope
se:
Mr John Humfrey
Mr John Winthrope,
iu:
& Increase Nowell.

The will of Ann Bunting was given in, & the witnesses depo: *

John Holland Edward Brecke, & John Sherman being returned for Iury men, & not appearing when they were called they were fined 5^d a peece.

The will of † George Alcock was given in & the witnesses depos'd, & also the praisers of the inventory were depos'd.

Thomas Hawkins for his scurrillous speaches was enioyned attendance, but upon the petition of the gentlemen hee was remitted./

Samuell Haukes for swearing, cursing, lying, theft, & unclean speach, was censured to bee set an houre in the stocks to morrowe & have a clefte stick on his tongue while the Court thinks meete, & was committed the meane while./

William Carpenter being chosen cunstable of Waymoth for the year ensuing tooke his oath to that place belonging./

John Hogg for his drunkennes, wastfulnes, & idlenes was censured to bee comitted to Leift Davenport till the next Court./

Walter Knight forfeited his recognisance of 5^l by not appearing

Thomas Dexter forfeited his recognisance of 5^l being bound for the appearance of Walter Knight, who appeared not

M^r. James Parker is allowed to marry Thomas Clifton & Mary Butterworth w^{ch}in a month:

Ordered by consent of Henry Waltham marchant, & Welthia ‡ the wife of Thomas Richards of Waymoth that all matters in difference hearafter mentioned shalbee referred to M^r Neweman, M^r Parker, & Edward Bates, of the same towne, who by this Court have power, or any two of them to appoint a miller to keepe the mill for both parties: to set downe an equall valewe for the rent of M^r Walthams part of the house, w^{ch} shee is to enjoy till her husband returne (if hee returne this summer) & to heare & determine all accounts, & reckenings betweene them, for w^{ch} end they, or any two of them have heareby authority to

* Depos'd in L. copy.

† Mr. in L. copy.

‡ Welthian in L. copy.

examine witnesses upon oathe, this to bee in force till the next Court of Assistants.*

[That part of the Library copy which is of records of a later date than the above, 28 Jan., 1641, appears to have been made, in part at least, by Samuel Symonds. See Transactions Colonial Society of Massachusetts, Jan., 1898 (page 144).]

[297] A quarter court held at Boston the 2nd day of the first m^o
1640-1641 †

present,
the Govnor
the deputy go:
M^r Winthrop se:
M^r Endecott
M^r Humfrey
M^r Saltonstall
M^r Winthrop Iu
M^r Stoughton
M^r Bradstreet
Incre: Nowell

Christopher Graunt for his cruell usage of his servant Nicholas Gilberd was fined ten pounds, & bound to his good behavio^r

Garret Church & John Stebben bound themselues in 20^l a peece for Grants good behavio^r till the next quarter court

Robert Stedman a iury man not appearing was fined 6^s. 8^d.

John Hogg upon the security of Samu: Grames, & Thomas Munte they haveing the goods in their possession for their security w^{ch} hee was let have to keepe till hee went for England, & then to deliver them to his use./

Walter Edmonds being chosen cunstable of Concord did take his oathe

Susan Starr is granted administration of the estate of her husband Thoma: Star, & the inventory of 49. 6. 9^d was shewed in co't

Rich'd Hollingworth upon occasion of the death of Rob't Baker was fined 10^l: to bee paid to the wife, & children of the said Rob't Baker his negligence being the occasion of his death.

Rob't Bartlet appearing, & there appearing a mistake in the p'sentment hee was discharged

Robert Rendall being tryed by the grand iury was not found guilty

Henry Palmer bound himselfe in 40^l for his wifes good behavio^r & appearance at the next quarter co't when free from being w^{ch} child, & fit to come abroad./

M^r John Morecroft is fined 20^l for his unfit carrige, & bound to his good behavio^r.

also the forenamed John Morecroft is to pay 20^l of the 40^l w^{ch} hee forfeited for want of Will: Bell his appearance †

* See Lechford's Note Book, p. 195.

† See Mass. Hist. Soc. Coll., 4th Series, Vol. 7, p. 308.

† See Winthrop II. 43, mentions presentment of Governor Bellingham.

Walter Knight appearing was fined 10^l for his rude speaches and contemptuous ^ For security hee made over a bill of 11^l

Rich'd Ponton is put to John Reade for 8 yeaeres from the first of the 11th m^o last past with his owne consent.

John George is put to M^r John Winthrope seni: for 8 yeaeres with his owne consent./

An attachment was granted against Nicholas Bacons cattle for the payment of his rent to M^r John Coggan./

summons & attachment was granted ag^t the estate of Jn^o Sampson.

the difference between M^r William Tyng & M^r Robert Tompson is referd to the arbitrement of M^r ffoule & Capt. Gibons.

M^r Rich'd Du^mer had his fine of 5^l remitted the p'sentm^t being upon a mistake as was testified :

Thomas Carter Senio^r, & Edward Joanes being chosen Cunstables for Charles towne did take the oath appointed for that place

John Johnson of Roxberry is freed from training in regard of other publike servise wthout any pay to the Company./

[Blank space.]

Thomas Foxe was enioyned to pay 5^l or appear at the next court./

[298]

A Courte at Boston the 29th 2^d m^o 1641 :

present,
the Govnor:
the Deputy gov:
M^r Winthrop sen:
M^r Humfrey
Increase Nowell.

Rich'd Wilson for his grosse abuse of his m^r. Thom: Cheesholme in base revileing speaches, & refusing to obey his lawfull commaunds was censured to bee severely whiped

Edward Page it being testified that his m^r. confessed hee was not to bee turned over, nor serve his wife if hee dyed the said Edw^a was freed by the Courte./

M^r Joseph Kinge for uncomely & obscean speaches was sharply reprehended, & for distemper in drinking wine hee was fined fourty shillings to bee paid wthin ten dayes to the treasurer

M^r Henry Pitts for his uncomely speaches & obscean was sharply reprehended, & for distemper in drinking wine hee was fined fourty shillings to bee paid to the treasurer wthin ten dayes.

William Browne for his obscean, & filthy speaches was sharply reprehended, & admonished not to use such base speaches./

Samu: Sherman was enioyned, & qmised to appear at the next Court./

Thomas Turner, Thom: Collier, & John Sutton bound themselues in 40^l a peece to appear at the next court, to answer for the things taken up of John Hardies rack.*

Thomas Baguley, for seling his servant his time contrary to order of court was fined ten shillings./

Mighill Bacon sen' upon the certificate of Rich'd Beres, Hugh Mason, Willi: Williams, & Thomas Hastings, that full satisfaction hath bene given was discharged, it being declared to bee a mistake of ignorance./

[Blank space.]

John Barnes for some distemp in drinking wine, was required to give 10^s, w^{ch} hee consented vnto.

A quarter Court held at Boston the first of the 4th m^o 1641 :

present,
the governor
the Deputy govr
M: Winthrope
M: Dudley
M: Saltonstall
M: Humfrey
M: Bradstreet
M: Winthrop in
M: Stoughton
Increase Nowell.
Edward Johnson of Charlstowne being warned to serve upon the iury (& not appearing) was fined 6^s 8^d:

James Dane for makeing an indian drunk was fined 20s^t.

M: John Longe for his distemper in drinking & giving wine to others is fined 3^t.

A warrant was ordered to examine all that tooke up any thing of the rack,* & send a perfect inventory, & in any thing doubtfull they are to take the advise of M: Peck minister & M: Newmā

John Whitney was chosen Cunstable of Watertowne & tooke oath

There was granted to Goodmⁿ Nutt, Marten Vnderwood, John Whitney, Henry Kemball, & John Witheredge alowance for 83½ y'd of cloth valewed at 12^d p y'd

Joane Abell being p'sented for being drunke it being found to bee a mistake shee was discharged./

M: Edward Tomlins retracting his opinions against singing in the churches was discharged

Thomas Patience for want of proofe was referred to M: Endecot

Edward Adams was enioyned to returne to his wife./ & being questioned for other things was discharged for want of goffe.

the towne of Roxberry is enioyned to make a sufficient way between the buriing place & the gate upon paine of 20s^t forf:

* Wrack in L. copy.

Roxberry is also enioyned to repair the other way over the swamp toward Dorchester mill upon paine of 20^o forfett.

Ipswich was enioyned to repair their wayes by the next q'tr Court upon paine of forfeiture of 10^l for the way to Salem. for theyr way toward Rowley they have 6 months to repair it./

[299] Cambridge was certified to have repaired the way tow'd Conc'd.

Cambridg for the way between Watertowne & Roxberry is inioyned to repair it wthin 6 m^o upon paine of 3. 6. 8^d.

Waymooth defective way is certified to bee mended./

Salem is enioyned to amend the short swampe wthin a month & the other wayes wthin 6 months upon paine of 5^l.

Boston in inioyned to mend their wayes upon paine of 20^o.

Watertowne is discharged. & Liñ is discharged./

Salsberry was enioyned to amend their way upon paine of 20^o.

Salsberry for want of weights & measures is fined 2. 6^d.

Rowley was enioyned to mend their way vpon paine of 20^o wthin a month./

Dorchester way to bee mended vpon paine to forfeit 20^o.

Hampton for want of weights & measures is fined 2. 6^d.

Concord to pay 10^o for neglecting watch & not appearance.

the wife of Rob't Lewes * for her dishonoring the name of god was censured to bee whiped./

Enoch Hunt for his opp'ssing practice & extorsion was enioyned to make restitution, pay the witnesses, & was fined 3^l.

Waymooth is remited the 3^l fine about neglecting their hogs.

Roxberry is remited the 10^l fine for neglecting their hogs.

Rob't Lewes & John Madox were discharged the p'sentm^l being mistaken, their answer being iudged reasonable.

Jonathan Thing for ravishing Mary Gree[n]feild was censured to bee severely whiped heare & at Ipswich [& fined 20^l] to bee paid in three yeares to Sam: Greenfeild.] †

Cambridge was enioned to give Squa Sachim so much corne as to make up 35 bushels, & 4 coates for the last year, & this.

Christopher Grant appearing was discharged frō further appance
John White appearing was discharged

John Skidmer is fined 10^o for seling strong water to Indians

Abraham Morrell is fined 5^l for seling his servant his time

Samu: Sherman is fined 20^o for sel^g his servant his time

* Lews in L. copy.

† This part within brackets not in L. copy.

the wife of Rich'd Carter appearing shee was admonished, & enioyned to bring her husband to bee bound for her good behavio'

Willi: Pilsberry & Dorothy Crosbey were bound to the good behavio', & to appear at the next Court bound in ten pounds

& hee was enioyned to | worke wth | goo: Wiswell 2 dayes in the weeke & goo: Cheny one day in the weeke for five yeares:

M^r Bu'slin was referd to the Court at Salem

Davy * Hickbourne for his grosse misdemeano', & foule miscarriage was censured to bee severely whiped, to weare an iron coller till the co't please, & serve his m^r 3 weekes longer for lost time, & trouble of his m^r.

M^r John Longe bound himselfe in 20^l to bee of good behavio', & to appear at the next quarter court./

John & Elnor Peirce were admonished to see better order bee kept

Willi: Knop for selling bear 2 years unlicensed was fined 5^s.

Alexand' Becke was granted 8 bushells of corne more then a bushell a weeke for his trouble wth Mary Joanes.

Henry Webbe & George † Stoader cunsta: of Boston had granted them power to gather in the estate of Paul Yonge, & to pay the debts, & to give account:

John Barnes was enioyned to pay 10^s, or appear at the co't to answer for a second distemp in drinking too much, w^{ch} hee not appearing is to pay.

[Pages 300 to 312 contain the record of the General Court for June, 1641.]

[313]

the 29th 5th m^o @ 1641

present
the Govnor:
the Deputy
Mr: Winthrope
Mr: Dudley
Mr: Humfrey
Mr: Stoughton
Iner: Nowell.

At a co't at Boston George Bowen being absent when hee was called to serve upon the iury, was fined 5s:.

James Laurence for goeing out of his m^r. his house in the night unseasonabley ag^t his exp'sse order was censured to bee sharply whiped & also for keeping company wth a leaude woman./

William Pilsberry for defileing his m^r. his house was censured to bee whiped./

Dorothy Pilsberry was censured to bee whiped for her uncleanness, & defileing her m^r. his house./

* David in L. copy.

† George, changed to Anthony, in L. copy.

Mary Osborne for her grosse miscarriage in giveing her husband quick silver, & other abuses was censured to bee severely whiped./

Mary ffelton the wife of Benjamin ffelton for her severall thefts frō M^r Webbe, M^r Parker, M^r Stoader, & M^r Eldreds man to the valewe of 8. 15. 11^d the things were restored, & her husband undertooke, & bound himselfe to restore the valewe of the goods taken away to each of them./

[Blank space.]

[314] A Quarter Co't at Boston the 07th 7th m^o 1641

present,
the Governor
the Deputy go:
M^r Winthrop, se:
M^r Dudley
M^r Humfrey
M^r Saltonstall
M^r Stoughton
M^r Bradstreete
Incr. Nowell

Thomas Carter senio^r Cunstable of Charlstowne is fined 6. 8^d for warning the iury men too late & for a rong day, wth was two dayes too late.

Edward Larkin being warned to serve upon the iury, & not appearing is fined 5^s: || This fine is remitted, the Cunstable mistaking, & warning for a wrong day.||

The rates of wharfige & litrige are referd to the gen'all Court, to bee brought in by the towne of Boston:

Willi: Wells is enioyned in 10^t to answer for opp'ssion

M^r Nicholas Trerice for his miscarriage in Court, is fined fourtye shillings

Thomas Owen for his adulteros practises was censured to bee sent to the gallos wth a roape about his neck & to sit upon the lather an houre the roapes end throwen over the gallos & so to returne to prison

Sara Hales the wife of Willi: Hales was censured for her miscarriage to bee carried to the gallos, wth a roape about her neck, & to sit an houre upon the lather the roaps end flung over the gallos, & after to bee banished.

Willi: Lampson hath liberty to fell 300 trees, on the other side of Chebacco, so it bee not in the limits of any towne

Anthony Stoader confessing his fault in his unfiting speach to the governo^r in affronting of him is fined 13 $\frac{1}{3}$ *.

Captaine John Vnderhill being indited upon proclamation no witnesses comeing in hee was acquitted.†

John Kilmaster, John Knop, & John Knight for their distemper were admonished, & dismissed./

M^r Samuell Maverick being found guilty of a confederacy wth Thom:

* See Winthrop II. 88.

† See Winthrop II. 12, 41.

Owen to break prison, consealing of it, & letting bee upon his island was fined one hundred¹:

M^r Chidley for confederating & consealing was fined 13½¹.

M^r Ducket for confederacy & consealing was fined 26½¹.

M^r Wollaston for consealing being privy was fined 13½¹.

M^r Oateley for consealing was fined 13½¹.

Thorne for consealing hideing & suppling was fined 6½¹.

Willi: Cope for consealing was fined 6½¹.

Mary Wilbee for consealing & consenting was fined 6½¹.

Thomas Owen for ~~escaping out of~~^{breaking} prison was fined 20^l to bee paid w^{ch}in a weeke, or to bee severely whiped.

Sara Hales for escaping to pay 13½¹ or be whiped & banished

M^r Dutchefield, M^r Williams, & M^r Hale were admonished to take heede of the like consealment.

M^r William Collens being found to bee a seducer, & his practices gved such, hee is fined one hundred pounds, & to bee kept close prisoner till his fine bee paid, & then hee is * banished upon paine of death.[†]

Francis Hutchinson for calling the Church of Boston a whoare, a strumpet, & other corrupt tenents,‡ hee is fined 50^l, & to bee kept close prisoner till it bee paid, & then hee is § banished upon paine of death.†

Margery Mathew¶ widow of Thom: Mathew¶ is alowed to sell her husbands house, land, & goods toward paym^t of her husbands debts, reserving her necessary cloaths & beding, w^{ch} were hers before marriage being qply her owne./

[The next record of the Court of Assistants in the L. copy is of the date 28 Oct. 1641. The record of the Court of Assistants as found in the first volume of the Colony Record ends here. The following is the answer of John Pratt and the action of the Court thereon referred to above under the date of November 3, 1635. (See the note on page 58.) This John Pratt record was paged at one time 77 and 78. It is now paged 9 and 10 in the original volume. (See above page 15.) The whole, including the signatures at the end, was written by the Secretary, Simon Bradstreet.]

[77] The Answer of mee John Pratt, to such things as I he[are &]
pceave obiected against mee, as offensive in my tre.

ffirst genally w^{ch}soeuer I wrift of the im^gbabilitie or impossibility
of subsistance for o^rselues or o^r posterity without tempting god o^r with-

* Is to bee in L. copy.

† See Winthrop II., 38.

‡ Tennen^s in L. copy.

§ Then to bee in L. copy.

¶ Mathews in L. copy.

out extraordinarie meanes, it was with theis two regards first I did not
meane that w^{ch} I said in respect of the whole Country, or o^r whole
Pattent in genall: but onely of that compasse of ground wherein theis
townes are soe thicke sett togeather & secondly I supposed that they
intended soe to remaine, because (vpon conference with divers) I
found that men did thinke it vnreasonable that they or any should
remove or disperse into other pts of the Countrie. And vpon this
ground I thought I could not subsist myselfe, nor the Planta^con nor
posteritie. But I doe acknowledge, that since my tre there have bene
feure sundry places newly found out as Neweberry Concord & others
(and that within this Pattent,) w^{ch} will afford good meanes of subsist-
ance, for men & beasts, In w^{ch} & other such like newe planta^cons, if the
Townes shalbe fewer & the bounds larger then theis are, I conceave
they may lyve comfortably. the like I thinke of Conecticott, with the
planta^cons there nowe in hand, & w^t I conceave soe sufficient for my
selfe, I conceave soe sufficient also for my posteritie & concerneing
theis Townes heare soe thicke planted, I conceave they may subsist, in
case that besides the conveniences w^{ch} they have already neere hand,
they doe imque ffermes somew^t further of, & doe also apply themselues
to, & doe imque the trade of fishing, & other trades. As concerneing
y^t intima^con of the Comonwealth builded vpon rocks sands & salte
marshes, I wishe I hadd not made it, because it is construed contrarie
to my meaneing, w^{ch} I have before expressed. And whereas my tres doe
seeme to extenuate the iudgem^t of such as came before, as haveing
more honestie, then skill they being scollers, cityzens tradsmen &
my meaneing was not soe genall as the words doe import, for I had an
eye onely to those, that hadd made larger reports into England of the
Country then I found to be true in the sence aforesaid. And whereas
I may seeme to imply, that I had altered the myndes or iudgem^ts of the
body of the people, magistrates & others, I did not meane this in re-
spect of the goodnes o^r badnes of the Land, in the whole planta^con,
but onely in poynte of removeall, & spredding further into oth^r pts
they afterwards conceaveing it necessarie, that some should remove
into other places here & there of more inlargem^t. and whereas I seeme
to speake of all the magistrates & people, I did indeed meane onely all
those with whome I hadd any private speech aboute those things & as
for the barrenes of the sandy grounds &. I spake of the[m] as then I
conceaved, but nowe by experiance of myne owne, I finde that such
ground, as before I accounted barren, [78] yet being manured & hus-
banded doeth bring forthe more fruict then I did expect. As for the

not p̄sping of the Englishe graine vpon this ground, I doe since that time see that rye & oates have p̄sped better than I expected, but as for the other kindes of graine, I doe still question whither they will come to such pfeccon as in o' nativie countrie from whence they come. And whereas I am thought geñally to charge all that have written into England, by way of comendaçon of this land as if what they hadd written were geñally false, I meant it onely of such excessiue comendaçons, as I see did exceede, & a[re] contrary to that w^{ch} I have here expressed.

And as concerneing that w^{ch} I said, that the gospell would be as deare here as in England I did it to this end, to putt some w^{ch} intended to come hither onely for outward comoditie, to looke for better grounds, ere they looke this way.

As for some grounds of my returneing, w^{ch} I concealed from my ffriends for feare of doeing hurt, I meant onely some pticul' occaçons & apprehencons of myne owne, not intending to lay any secrēt blemishe vpon the state, and whereas I did expresse the danger of decayeing here in o' first love ∵ I did it onely in regard of the many folde occaçons & businesses, w^{ch} here att first wee meete withall, by w^{ch} I finde in my owne experience, (and soe I think doe others also) howe hard it is to keepe o' hearts in that holy frame w^{ch} some tymes they were in, where wee hadd lesse to doe in outward things: but not at all intending to impute it as necessary to o' condiçon, much lesse as a fruictē of o' precious liberties, w^{ch} wee enjoy, w^{ch} rather tend to the quickening of vs, wee improveing the same as wee ought. This my answer (according with the inward consent & meaneing of my heart) I doe humbly commend to the fav'able consideraçon & acceptance of the Court desiring in this as in all things, to approve myselfe, in a conscience voyde of offence towards god & man.

John Pratt.

Of this answer of John Pratt before written, voluntarily by him made, as wee are witnesses, soe doe wee also ioyne wth him in humble desire vnto the Court that it may be fav'ably accepted & what euer fayleings are in the ſe in regard of the manner of ex̄pressions (w^{ch} may seeme hardly to ſuite wth theis his interpretaçons,) wee doe desire the indulgence of the Court to pasſe ouer without further question/.

Peter Bulkeley }
John Wilson }
Thomas Hooker }

Whereas John Prat of Newe Towne being called before vs att this p'sent Court, & questioned for a tre w^{ch} hee wrote into England, dated wherein hee raysed an ill report of this Countrie, did desire respite till the nexte day to consider of his answer, hee hath nowe deliuered in this before written, w^{ch} vpon his free submission & acknowledgem^t of his error the Court hath accepted for satisfacⁿon & therevpon pdoned his s^d offence, & gyven ord^t it shalbe recorded & such as desire copyes thereof may have the same/.

John Haynes Go^mn'.
Rich Bellingham
John Winthrop
Tho. Dudley
John Humfry
Willm Coddington
Willm Pinchon
Atterton Hough^e
Increase Nowell
Simon Bradstreete

PART II.

COURT OF ASSISTANTS.

RECORD 1641-1644.

**FROM A CONTEMPORANEOUS COPY NOW IN THE
BOSTON PUBLIC LIBRARY.**



PART II.

1641—1644.

COURT OF ASSISTANTS RECORDS.

[Taken from the copy of the Massachusetts Colony Records now in the Boston Public Library and known as the Barlow Copy. This portion of that copy has been printed in W. H. Whitmore's Bibliographical Sketch of the Laws of the Massachusetts Colony. The first part of the copy in the Public Library, extending to Jan. 28, 1641, is in the handwriting of Thomas Lechford. (See above, page 1, headnote to Part I.) The rest of that copy, or part of it, as stated above in the note on page 103, appears to have been made by Samuel Symonds. (See Transactions Colonial Society of Massachusetts, Vol. V., p. 144, January, 1898.) Through the whole copy the paragraphs are numbered successively in the margin from 1 at the beginning to 3450 at the end. As these marginal numbers are not in the original record now extant in the State Archives from which the first part of the copy was made, it is evident that the lost record from which the part of that copy now printed was made did not have them, and they are therefore omitted here.]

[277] At a Co't the 28th. 8th. Moth. 1641.

Present. The Governo^r. M^r. Winthrop.
M^r. Dudley. Increase Nowell.

Luxford. James Luxford was Ordered to bee delivered to his three Credito^r.

Voysey fined. M^r. Symon Voysey for striking M^r. Constable was committed, & fined to give M^r. Constable, 10^{lb}.

Waltham. Brittaine bound for Wilson. M^r. Henry Waltham, & James Brittaine, were bound for Gawen Wilson his appearance at y^e next Co't.

Knight committed. John Knight is committed vntill hee find sureties.

At a Quarter Co't at Boston the 7th. of the 10th. Mth. 1641.

Eliot. Tee. Jacob Eliot deposed to the will, & Inventory of John Tee.

- Smith. Prichard.** John Smith is graunted five shillings against William Prichard.
- Richardson discharged.** John Richardson appearing, & testimony given of his good carriage, hee, & his sureties were discharged.
- Wilson, & sureties discharged.** Gawen Wilson appearing, hee, & his sureties were discharged.
- Vocar[s] fined or whipt.** John Vocar was censured to pay ten shillings, or bee whipped, the 1st. Moth.
- Capt. Williams, Richardson.** Capt. Williams was p'ssed, & promised to endeavo', & doe what in him lay to bring backe John Richardson.
- Richards fined.** Walthian Richards was vpon his p'sentment fined 5^{lb}., & enjoyned to pay the witnesses, which were Edward Bennet, & his wife; Richard Silvester, & his wife; Arthur Warren, Thomas Rawlings, Thomas Penny, M^r. Waltham, & Mary Smith, after 2nd. p day, & to make a Publique ^
- ffinch his wife ill.** Samuel ffinch his wife was certified to bee ill.
- Braintree.** The Inhabitants of Braintree, for the bridge over Minotocot River are respited till the Generall Court.
- Hingham.** Hingham hath time till the first of the 3^d. Moth. to finish the bridge over Layfords-liking, which they are doe by that time vpon paine of 5^{lb}.
- Barnes.** Thomas Barnes about lace, was admonished, & discharged.
- Jobson.** John Jobson for vnadvised exp'ssions, was admonished, & discharged.
- Hands discharged.** Marke Hands for want of proofe was discharged.
- Dorchester fined.** Dorchester for defective wayes was fined 5^s., & had || time || till the 2^d. Moth.
- Marklin recompence Pen.** It was referred to indifferent men to judge, what recompence Marklin knight should returne to James Pen.
- Davies fined, bound.** William Davies for keeping an house of disorder, by giveing enterteinement against Order, was fined 20^s., & bound in 10^{lb}. not to sell ale, strong beare, wine, or strong-water.
- Chidley.** M^r. Chidley was gone out of the Countrey before Co't.
- Hawkins fined.** Thomas Hawkins for makeing bread to light was fined 5^s. and enjoyned to give one witnesse, Edward Bates, 2^s. 6^d

Boston fined.

Boston for defective [ways] towards Roxbury is fined 10', & enjoyned to mend them, by the 24th. of the 2^d. Moth., vpon paine of five pounds.

Cambridge fined.

Cambridge for a defective way to Charlestowne is fined 5'.

ffuller.

ffuller was respitted till the next Quarter Co't.

Knight. Carters wife.

John Knights Cause to be tryed by Action. Carters wife was admonished, & discharged.

[278]

At a Co't at Boston the 27th. 11th. Moth. 1641.

Present. The Governo'. M^r. Winthrop.

M^r. Dudley. Increase Nowell.

Knowers estate.

The administration of the estate of Thomas Knower is graunted to James Browne & William Gosse, & his wife, to bee brought to the next Co't, to answer things objected against them.

Wilsmore.

Elizabeth Wilsmore had warrant to the Constable of Watertowne, to provide hir a place in service, or otherwise.

Williams. Read.

David W^m hath put himselfe to John Read for 4 yeares, from the 12th. of this p'sent Moth.

Fox. Everell.

John Fox hath put himselfe App'ntise to James Evrell, for 6 yeares, from this p'sent day.

At a Quarter Co't at Boston y^e 1st. of the 1st. Moth. 1641.

Present. M^r. Governo'. M^r. Winthrop.

M^r. Dudley. Increase Nowell. M^r. Bradstreet.

M^r. Ballards estate.

M^r. Timothy Tomlins, & Thomas Ellington were graunted administration of the estate of M^r. Ballard, & they are to dispose of the Children, & their estates.

Story committed. &c.

George Story vpon his miscarriage was committed, & after vpon his submission, & acknowledgement of his fault, hee was discharged.

Charlestowne.**Sudbury.****Dedham Lands.**

Charlestowne delivered in a transcript of their Lands. Sudbury dd in a transcript of their Lands. Dedham delivered in a transcript of their Lands.

Browne. Perry. Malachy Browne had six shillings 8. pence Costs graunted against ff Francis Perry, for warning him to appeare, & not prosecuting him.

Mr. Trerice fine rem. M^r. Nicholas Trerice || his fine || of forty shillings is remitted him.

Thatcher, Collaine, Allen, Barton, whipt. Peter Thatcher for plotting Piracy was committed, & to bee whipt; Matthew Collaine, Robert Allen, & Marmaduke Barton, were whipped for concealing the plot of Piracy.

Shermans fine remit. Samuel Sherman is remitted his fine of 20^d.

Singleman, ffuell, bound. Henry Singleman is bound in 20^b. to bee of good behavio^r & to appear at the Quarter Co't in the 7th. Moth. 1642. & Samuel ffuell is bound in 10^b. for the good behavio^r & appearance of Singleman.

Hawkins whipt. James Hawkins for prophaining the Sabbath hee was censured to bee whipt, & bound with his Brother Thomas Hawkins in 40^b. to appear at the Generall Co't, & answer for venting his corrupt Opinions, & to bee of good behavio^r till then.

Sedgwick for theft, whipt. &c. Elizabeth Sedgwick for hir many theftes, & lyes was censured to bee severely whipt, & condemned to slavery, till shee have recompenced double for all hir thefts.

Pesons banished. Pesons, or George the Indian, was banished not to come among the English after a weeke.

Mincarry admonisht. &c. Mincarry, the blackmore was admonished, & dismissed.

Smith admonisht. John Smith was admonished & dismissed.

Coles restitution. Susan Cole was enjoyned to make double restitu^tion.

At a Co't at Boston 28th. 2^d. Moth. 1642.

Present. The Governo^r. M^r. Winthrop.

M^r. Dudley. M^r. Stoughton. Increase Nowell.

Barton committed. Marmaduke Barton for his theft, & running away, was committed to the keeper, as a slave, till the next Generall Co't.*

Briant whipt. Thomas Briant for concealing Thatchers Plott, & consenting to it, was censured to bee severely whipped.

* See Mass. Col. Records, Vol. II., p. 21.

Jackson.

Elisha Jackson was with his owne consent turned over for his time, from George Barrell, to John Millam.

The 12th. 3^d. Moth. 1642.

Present. The Governo^r.
M^r. Winthrop. Increase Nowell.

Woodcooke whipt.

John Woodcooke for his many miscarriages was censured to bee whipped.

[See below after the next four courts for records of courts from June 7 to Dec. 6, 1642, misplaced in the Library copy.]

At a Co^rt at Boston 20th. 12th. Moth. 1642.

Present. The Governo^r. M^r. Dudley.
M^r. Bellingham. Increase Nowell.

**Chadwicke fine
discharged.
Whitney fined.**

Charles Chadwicke is discharged of his fine of 3^o. 4^d. & John Whitney the Constable is fined 2^d. for not warning him.

Story discharged.

George Story appearing is discharged of his Bond for appearance to answer Capteine Keayne this Co^rt.*

**Charlestownes
Constables allowed.**

It was ordered that the Constables of Charlestowne should bee allowed 9^{lb}. 12^o. 8^d. for the charge of ^

Mr. Ruck. Stow.

M^r. Thomas Rucke, & John Stow appearing, were appointed to appeare at the next Generall Co^rt, to give in their finall answer about the 50^{lb}. committed into their hands.

[279] **Davis. Kempe.**

It was Ordered James Davies should have 3^{lb}. 12^o. for keeping of John Kempe for 12. weekees, at six shillings p weeke.

Hoare. Read.

Mary Hoare was Ordered to pay John Read 10^o for hir theft, & trouble of him.

Chapman payd.

It was Ordered that Jacob Chapman should bee allowed 15^o. for 9 dayes travell, & 2^o. 6^d. layd out of purse.

**M^m. Strainge
Hinghā.**

Order was sent to the Constables of Hingham, that M^m. Strainge & hir child should bee supplied

* See Mass. Col. Records, Vol. II., p. 51; also Winthrop II. p. 69.

according to their necessity that they may bee comfortablie mainteined by the helpe of such worke, as shee is able to doe, & hereof not to faile, as they will answer it.

~~Stiles allowance.~~ It is conceived John Stiles should be allowed nine pound per annum for the time hee [time hee] hath served, & twenty shillings, for being turned away in winter, vnp provided.

~~Marvin allowance.~~ It is conceived that Thomas Marvin should bee allowed nine pound p annum for the time he served, & twenty shillings, for being turned away in winter, vnp provided, & 40^l. for the 8. wolves killed.

The 16th. of the 12th. Moth. 1642.

Present. The Governo^r.

M^r. Bellingham. Increase Nowell.

Owles Willoughby fined. Daniel Owles comeing before vs, for drinking part of several pints of wine, with William Willoughby was fined ten shillings.

Willoughby committed. William Willoughby for beeing distempered with wine, & mispending his time, & neglecting both publique, & private Ordinances, was committed to Prison to bee kept to worke there.

At a Quarter Co't at Boston 7th. 1st. Moth.

p'sent. The Governo^r.

The Depth. Gov^r. M^r. Dudley.

M^r. Bellingham. M^r. Bradstreet.

M^r. Flint. Increase Nowell.

Briscoe fined. M^r. Nathaniel Briscoe for certaine mutinous speeches, & writings was fined 10^{lb}.*

Pescot. John Pescot was dismissed with an admonition.
Winter dism. John Winter is discharged wth an admonition.

Mr. Collecot payd. M^r. Richard Collecot his bill of 21^{lb}. 8^s. 10^d. was assigned to bee paid him, & for himselfe for 18. dayes, 2^{lb}. 14^s. & for M^r. Holeman, for 18. dayes, 2^{lb}. 14^s.

* See Winthrop II. 92, 93.

Browne, Boyleston's wife dismissed. M^r. Richard Browne beeing questioned for vnmeete & filthy dalliance, with Sarah now wife of Thomas Boylston, for want of full evidence, they were dismissed with an admonition.

Bulls, Bliths fornic. fined. Will^m Bull, & Blith now his wife, were fined 20^s. for fornication committed before marriage.

Stowers fined. John Stowers for reading to divers offensive passages (before comp^s) out of a booke, against the Officers, & Church of Watertowne, & for making disturbance there, was fined forty shillings.

Bells theft. Sarah Bell for hir theft, stealing money from hir master, was censured to bee whipped, except shee behave hir selfe well, betwixt this, & the next Co't, & soe as the Co't see cause to remit it.

Cornish committed &c. John Cornish was comitted, & after was ordered to bee released vpon his owne bond, for his good behavoir, & appearance, &^{*} the next Co't.

Hewet repay. Susan Hewet, & others which sold Sarah Pell^{*} goods were Ordered to take their goods backe, & repay the money to M^r. Newgate.

Ocrimi punished. T[eagu] Ocrimi for a foule, & divilish attempt to bugger a cow of M^r. Makepeaces, was censured to bee carried to the place of execution, & there to stand with an halter about his necke, & to bee severely whipped.

Wyar. Garland whipt, & fined. Robert Wyar, & John Garland beeing indited for ravishing two yong girles, the fact confessed by the girles, & the girles both vpon search found to have bin defloured, & filthy dalliance confessed by the boyes; the Jury found them, not guilty, wth reference to the Capitall Law. The Co't judged the boyes to bee openly whipped at Boston, the next market day, & againe to bee whipped at Cambridge on the Lecture day, & each of them to pay 5^{lb}. a peece to their master in service.

Wythes. Odle. whipt. It was also judged that the two girls Sarah Wythes, & Ursula Odle beeing both guilty of that wickednes, shall bee severely whipped at Cambridge in the p'sence of the Secretary.

M^r. Norton. Pentecus. Charlestowne constables. The 15th. 2^d. Mth. M^r ffrrancis Norton, & John Pentecus, beeing formerly chosen Constables of Charlestowne, by the Towne, did take their Oathes to discharge that Office.

* So in the Library copy.

At a Co't at Boston, the 27th. 2^d. Moth. 1642.*

Present. The Governo^r. M^r. Deputie. M^r. Dudley.
M^r. Bellingham. M^r. Flint. Increase Nowell.

Woods Inventory. An Inventory of the estate of Edward Wood deceased, was delivered in, & an account how the Children are disposed of, which the Co't doth approve.

Taylor admonished & dismissed. Richard Taylo^r beeing enjoyned to appeare at the next Co't to answer for his rude & vnmeete speeches, hee was dismissed with an admonition.

Hobson freed. Neal to pay witnesses. Henry Neale appearing, his servant Henry Hobson was freed from him, and put [280] to another, & Henry Neale was enjoyned to pay all the witnesses, & deliver vp all bonds, & soe all things were ended betweene them.

Hobson to Meakins. Henry Hobson is put to Goodman Thomas Meakins for the rest of his time, for 4^{lb}. p annū and vpon his good behavio^r to have 2^o. 8^d. at the end of his time.

Stone, Armitage costs graunted. John Stone, & Joseph Armitage, vpon a warrant from Joshua Hubbard had ten shillings cost graunted them, against Joshua Hubbard for not prosecuting.

Owles servant to french. Daniel Owles is put to Serjeant William french for a yeare, & then to bee brought againe to the Co't, to have further consideration had of the case, whether Serj^t french had sufficient recompense for the losse of his servant, Edward Waldo, whom Owles concealed, plotting to run away, & coun-celled thereto.

Smith bound. Richard Smyth concealing his knowledge of Edward Waldo his intent of running away, is bound in ten pound to appeare at the next Co't.

Wyar to Bowtle. Robert Wyer is put to Leonard Bowtle, with his Masters consent for the rest of his time.

Browne whipt. William Browne for running away, deriding an Ordinance of God, refusing to give account what hee had learned, & refusing to obey [his] master, was censured to be severely whipped.

Mindam discharged. Robert Mindam appearing haveing bin imprisoned vpon an attachement by M^r. Campian, vpon pretence

* This should be 1643. Bellingham was Governor 27 April, 1642. Thomas Flint was first chosen an Assistant 18 May 1642.

of a debt of 35^{b.} to M^{r.} Trerice, he was discharged, because noe action is entered, nor none appeareth to prosecute.

Quick whipt. The 16th. 3^d. Moth. Richard Quick for beeing dis-tempered by drinking wine, & for his idlenes, stubbornes, & dalliance, was censured to bee whipped.

Roberts fined 12^{d.} Edward Roberts was appointed to pay 12^{d.} for drinking to Richard Quick.

Perry Whipt. John Perry for running away was censured to bee whipped 17th. 3^d. Moth.

Harding. Hollister. Weymouth Con-stables. John Harding, & John Hollister beeing chosen Constable of Weymouth, did take their oath to that place apperteining. 23. 3^d. Moth.

Baker Ordinary keep. M^{r.} Baker of Ipswich is allowed to keepe an Ordinary instead of Goodm. Andrews.

Goodnow Clarke of y^e Band. Edward Goodnow beeing chosen Clearke of the Band did take his Oath 5th. 4^d. Moth.

Mr. Tomlins Ensigne. M^{r.} Edward Tomlins beeing chosen is allowed Ensigne at Linn.

M^{r.} Tory Ensigne. M^{r.} William Tory is appointed Ensigne at Wey-mouth.

Johnson. Edward Johnson is appointed to traine the Company at Wooborne.

The 7th. day of the 4th. Moth. 1642.*

p^rsent. The Governo^r. The Deputie. M^{r.} Dudley. M^{r.} Bellingham. M^{r.} Bradstreet. M^{r.} Stoughton. M^{r.} Flint. Increase Nowell.

Dedham Lands. Dedham delivering in a transcript of their lands, the Co^t gave M^{r.} Allen leave to have the transcript backe againe.

Forbearance. The other Townes, to wit Boston, Dorchester, Braintree, & Watertowne, had time graunted them till the 4th. Moth. 1643.

M^{r.} Paine dis-charged. Costs granted. M^{r.} Edward Paine vpon his appearance was discharged there beeing noe Action entered by Clement Campion, and M^{r.} Paine was graunted 6^l. 6^d. costs against Clement Campion.

* This and the four following records were misplaced in the Library copy. See above under 12th 3^d Mo. 1642.

Wood fined.

Edward Wood was fined 8^l. for baking wheat meale contrary to order.

Scott & his wives punishment for fornicacion.

Thomas Scot, & his wife for committing fornication before marriage, were enjoyned to stand an ho're vpon the 16th. p'sent, in the market place, with each of them a paper with great letters, on their hatts.

Morrice will delivered, &c.

Thomas Morrice his will was delivered [in] vpon oath testified by Edward Woolastone, & William Hudson.

Whittmore* dismissed.

Thomas Whittamore because of his sore leg was dismissed with an admonition.

Concord transcript imperfect.

Concord delivered in a transcript of their Lands, but vnsubscribed, which not beeing according to Order, was delivered backe againe to them to perfect.

Keayne Comitted, &c.

Anne Keayne for her grosse failing in not testifying the truth, when shee was called vpon oath shee was committed to the Keeper, & vpon her petition, & confession of her fault, she was released.

Bosworth bound, & to find sureties.

Jonathan Bosworth for discountenancing a wittnesse, was committed till hee find sureties; Samuel Ward, & Nicholas Jacobs were bound in 10^{lb}. a peece for Jonathan Bosworth his good behavio', & appearance at the next Quarter Co't, & Jonathan Bosworth himselfe was bound in 20^{lb}.

Eliz: Strainge dismis.

Eliz: Strainge vpon acknowledgment of her sincere, ^ with an injunction to acknowledge her sin publiquely at Hingham, & that to bee certified by the Constable, shee was dismissed with an admonition.

Jones dismissed.

William Jones vpon his acknowledgment here, beeing enjoyned to acknowledge the like Publiquely at Hingham, with an admonition, & an injunction to pay the witnesses 5^l. a peece, he was dismissed.

Richards fine abated.

M'. Richards is abated twenty shillings of his fine.

[281] Mr. Long fined.

John Long Gent. for his misdemeano', dis temper in drinke, swearing & cursing was fined twenty pound, & to put in sureties before his departure.

Wilsons fine respited.

Thomas Wilson his fine is respited till the end of the second Moneth 1643. and Anthony Staniard

* So in the Library copy.

is bound in twenty pound for the payment of Thomas Wilsons fine.

Morrell fined. Isaac Morrell was fined 5^l for his absence, which hee is to pay to the rest of the Jury.

Powell Surveyor of Armes. Nicholas Powell is appointed Surveyor of the Armes for Dedham.

Mr. Longs damage. It was Ordered that M^r. Stodder should have three pound of M^r. John Long, for himselfe, & ten shillings for the rest of his Company, for the trouble, & danger they susteined by M^r. Long.

At a Small Co^t at Boston, the 28th. of the 5th. Moth. 1642.

p^rsent.

The Governo^r. M^r. Dudley. M^r. Stoughton. Increase Nowell.

Smith. Henry Smith not appearing (beeing warned by the Governo^r.)

Stephenson liberty graunted. Margeret Stephenson is judged at liberty to be married to Benjamin Scott.

Kempe cared for. The Constable of Roxbury was Ordered to take care of John Kempe, servant formerly to Isaac Morrell, both for his maintenance, & cure, till the next Quarter Co^t, and then further order should bee setled.

Matthew to worke. The Co^t thought meet Dermondt Matthew should bee set to worke by such, as have occasion to employ him, vntill his M^r. shall appeare, & take co^rse about him.

Bradley Admin-istracion &c. Katherin Bradley is graunted administration of hir husbands estate, who gave hir all his estate, only some cloathes, & tooles to his brother.

At a Quarter Co^t the 6th. of the 7th. Moth. 1642.*

p^rsent.

The Governo^r. The Deputie Gov^r. M^r. Dudley. M^r. Bellingham. M^r. Saltonstall. M^r. Stoughton. M^r. Bradstreet. M^r. Flint. Increase Nowell.

Roberts committed. George Roberts was committed to the keeper for his ill carriage, but after had leave, to goe take care of his corne, beeing it lay vpon spoyling.

* See below, Part III., for a record of this date..

Cooper. Hubbard.	Thomas Cooper, & Joshua Hubbard Constables of Hingham.
Converse constable.	Edward Converse Constable of Wooborne.
Bosworth discharged.	Jonathan Bosworth is discharged from his bond.
Sever fined.	Robert Sever for his miscarriage in neglecting the watch, is fined twenty pound which the Co't doth respite.
The Elders advice desired.	Severall of the Members of Hingham, vpon admonition of the Co't, did refer it to the Co't, to speake to the Elders to consider the case, & to send some of themselves to see, if it may please the Lord by advise to helpe to reconcile their differences, and settle them in a way of Christ.
Weoldrige fined.	M ^r . John Wooldrige was fined 3 ^{lb} ., & enjoyned vpon paine of 5 ^{lb} . to acknowledge his offence, at Boston, Charlestowne, & Cambridge, reading an acknowledgment written for his drunkenesse, & swearing.
Batter costs graunted.	M ^r . Edmund Batter had six shillings, eight pence cost graunted him, against M ^r . John Humphrey for serving him to appeare, & not prosecuting.
Lewis whipt.	John Lewis for running away, and breaking an house, was censured to bee whipped, & sent home to his Master.
Cole to worke.	Richard Cole was committed to worke for his living, till a master bee found for him.
Walcot Whipt.	William Walcot was censured to bee whipped, & kept in Prison, till further Order, for his idlenessse, & abuse of his friends.
White commited. releas.	Richard White beeing committed for refusing to watch, vpon his submission he was released.
Het. Whipt, &c.	Anne Hett for attempting to drownie hir child was censured to bee whipped, and kept to hard labo', & spare diet.
Cotcree whipt.	Thomas Cotcree was censured to bee severly whipped, for his vnmeet dalliance with two or three girles.
Juryes verdict returned.	The Jury returned verdict about the death of Richard Silvester his child.*

Part of Mo.
Thyeryes estate.

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Watts fined.

Cole put to Haward.

The Governo^r hath in his hands about 4^{lb}. of the estate of one Mountsier Thyery, a ffrench man, that dyed here.

George Watts is appointed to give ten shillings in cotton woole for swearing.

Richard Cole is put to William Haward for a yeare, vpon such wages as shall bee suteable to his yearnings.

At a Co't at Boston the 27th. 8th. Moth. 1642.*

p'sent.

The Governo^r. M^r. Dudley. M^r. Bellingham. Increase Nowell.

ffinch Gorton
excused. Vnions
fine respited.

Widdow Merriam
administracon
graunted.

Web fined.

Samuel ffinch, & John Gorton, for not appearing vpon the Alarme, their excuses were accepted, and they freed. Robert Vnnion not appearing vpon the Alarme, his fine of 5^{lb}. is respited, till the Generall Co't.

Widdow Merriam is graunted administration of hir late husband Merriam his estate.

William Web for his neglect, in not carefully attending the Order of Co't about his bread, is fined ten shillings.

Vpon Consideration (severall Petitions p'ferred Comittee appointed. to this Co't) It was Ordered that M^r. John Smith, M^r. William Bacon, togeather with M^r. John Oliver, Leivt^r Lusher, & Anthony ffisher, these, or any three of them whereof the said M^r. John Smith, & M^r. John Oliver to bee two, shall have power to take into their custody all the bookes, & writings of the said † Edward Allen, to cast vp, & to cleare the accounts, for deviding of the interests of the severall Parties, & to pay, & receive all debts and to certify the Co't with what speed they may.

M^r. Oliver's sume. The Treasuro^r had order to pay M^r. Oliver the sume of 12^{lb}. for his paines about Mansfeild.

Administracon
graunted.

Conway whipt.

John Newton, & Edward Allen are graunted the Administracon of the estate of M^r. Edward Allen.

Davyd Conway servant to W^m Beamsley, for resisiting his master was censured to be whipped.

* See Winthrop II. 73, 74, for mention of a civil suit at this Court.

† So in the Library copy.

Neale committed. John Neale servant to M^r. Cockram was committed vpon suspition of felony.

Hudson costs graunted. William Hudson was graunted six shillings, eight pence against Symon Kempthorne, for attaching, & causing him to attend, & not prosecuting.

M^r. Allens gift testified. Frances Pembroke tooke hir oath, that M^r. Allen, vpon his death bed gave his estate to John Newton, & Edward Allen his kinsman, & that he was then, & after in good memory, & vnderstanding.

Mansfeild to Denux. The 14th. of the 9th. Moth. 1642. Daniel Mansfeild is put to William Denux for five yeares from this p'sent day.

At a Quarter Co't at Boston, the 6th. of the 10th. Moth. 1642.*

p'sent.

The Governo^r. M^r. Dudley. M^r. Bellingham. M^r. flint. Increase Nowell.

Chadwicke. Holmes fined. Charles Cadwicke,† & Robert Holmes, are fined three shillings, foure pence a peece, for beeing absent, being warned.

Searchers appointed. Edward Lewis, Williams, John Shearman, & George Munnings, are appointed to view the leather which is tanned in Watertowne, & to certify vpon their oathes, (& in perticular leather tanned by John Winter, for which hee was p'sented, which John Warren can testify) at the next Quarter Co't.

Shepheard fined. William Shepheard for covenanting for 15^{lb}. wages p annum, is fined two pound.

Copeland fined. Laurence Copeland for covenanting for 15^{lb}. wages p annum is fined 2^{lb}., beeing both released one halfe of the time, which was ordered to bee stayed in John Mowers hand, and by him, to bee payd two shillings to Martin Saunders, & 3^{lb}. 18^s. to the Treasuro^r.

Watertowne p'sentm^t. Watertowne p'sentment is referred to the next Quarter Co't.

M^r. Hibbins allowed. It was ordered that M^r. Hibbins should bee allowed twenty pounds for his horse killed in Pu[bl]ique service.

* See below, Part III., for record of this date.

† So in the Library copy.

**Mr. Bartholomew
cause refered.**

**Capt. Keaynes
Action defer.**

Weane to Gunnison.

**Addington
deposition.**

had 5. gallons, & himselfe had 5. gallons.

Matthew to Dexter.

wages Dearmant proveth to bee due, and all is referred to M^r. Sadler, & goodman Armitage to heare, & end all businesses, & the 3 attachments are discharged.

**Walton have his
goods againe.**

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Lee costs graunted.

Braintree fined.

**Mr. Ruck.
Stow called.**

50^{lb}., or bring it in, or shew why they should not.

Davies fined.

**Hingham
discharged.**

Boston discharged.

**presentments
respited.**

**El. Hasnet put to
Wilson.**

M^r. Bartholomew his cause, vpon his brothers vndertaking to bee surety to answer for his brother, at the next Quarter Co't, it was referred to the next Quarter Co't: And Capteine Keaynes Action is deferred by consent, till M^r. Bartholomew doe come.

David Weane by consent put himselfe to Hugh Gunnison for 3^{lb}. 15^s. till that bee wrought out.

Isaac Addington did depose that Timothy Hig-genson had 6. gallons of M^r. Eldredes wine, Robert Gillam had 5. gallons, William Pearce as hee thinketh had 5. gallons, & himselfe had 5. gallons.

Dearmant Matthew is put to Thomas Dexter for the rest of his time, Dexter promiseth to pay what wages Dearmant proveth to bee due, and all is referred to M^r. Sadler, & goodman Armitage to heare, & end all businesses, & the 3 attachments are discharged.

It was Ordered that M^r. Walton should have his goods againe, which were vnjustly taken and the Arbitrato^r to end the businesse of the sow, if they can.

John Lee is graunted six shillings 8. pence against Richard Lettin, for somoninge him to appeare, causing him to attend, & not prosecuting.

Martin Saunders vndertooke the Bridges, presented, should bee repaired, soe Braintree was fined three shillings, four pence, & discharged.

It was Ordered that M^r. Ruck, & Goodman Stow, should bee sent vnto, to come in at the next Co't, & should shew how they have disposed of the

50^{lb}., or bring it in, or shew why they should not.

William Davies was fined 5^{lb} for his contempt, in keeping victualling against Order of Co't.

Hingham vpon oath given, that the way is made out, is discharged.

Boston is discharged, the way to Charlestowne being made good.

The other p'sentments are respited till the next Quarter Co't because of the weather.

The 11th. Moth. 1642. 5. day. Elizabeth Hasnet is put to William Wilson, for 50^s. wages, for the yeare.

Wicks Constable.

The 12th. day. George Wicks beeing chosen Constable of Dorchester tooke his Oath.

At a Quarter Co^r at Boston the 10th. of the 4th. Moth. 1643.*

p'sent.

The Governo^r. The Deputie. M^r. Dudley.
M^r. Bellingham. M^r. Saltonstall. M^r. Bradstreet.
M^r. Hibbens. M^r. ff Flint. Increase Nowell.

Ridway payd. It was Ordered that forty five shillings of the estate of M^r. William Bladen, should bee payd to James Riddway, who was his servant for his yeares provision.

Boston presented. The Towne of Boston beeing p'sented for defect of their highwaisies, they had bin p'sented for ^

M^r. Oliver payd. It was Ordered that M^r. Oliver should have for his paines, & charge about the Saylo^r three pound, about Mansfeild twenty shillings, about Kemp seaven pounds ; togeather eleven pounds.

Heathersby discharged. Robert Heathersby appearing is discharged of his bond, & graunted 10^o. costs against ^

Brittaine respited &c. James Brittaine beeing p'sented, & traversing the p'sentment was respited to the next Co^rt, and bound himselfe in twenty pounds to appeare then, & answer. William Brandon to appeare for a witnesse.

Layton discharged. Thomas Layton appearing was discharged.

Smith committed. Richard Smyth beeing converted, for beeing privy to Edward Waldo his intent to run away, which was wittnessed by Blith Bull, hee was committed to.

Mills fined. George Mills for a Battery is fined ten shillings.

Willis fined com. Richard Willis for a foule Battery is fined 2^{lb}. 10^o., & committed till hee pay or give sufficient security.

Chadborne. Low. Butcher. Affeld. Woodward &c. fined. William Chadborne, senio^r, John Low, Robert Butcher, William Affeld, John Woodward, Ambrose Leach & Sacheas Bosworth were fined 10^o. apeece, for drinking too much.

Golthrope fined. Ralph Golthrope is fined 10^o. for beeing dis tempered with wine.

* For previous courts in 1643 see above after the court of the 12th of the 3d month, 1642.

ffilpot admonished.

William ffilpot was admonished to take heed of suffering drinking in his house.

**Ainsworth
discharged**

Anker Ainsworth beeing p'sented for taking excessive wages, it did not appeare, & soe hee was discharged.

**Mr. Draintons*
cause transm.**

M'. Draytons Cause against M'. Wannerton is transmitted to the Co't at Piscataqua.

**Mr. Stodder
presented, disch.**

M'. Stodder beeing p'sented for selling cloth at an excessive rate, it appeared noe excesse in him, soe hee promising to satisfy M'. Paine was discharged.

**Leake & his wife,
for fornication to
acknowledge.**

Henry Leake, & his wife for fornication were enjoyned to appeare the next Lecture day, at Dorchester after the Lecture, and to acknowledge their fault.

**Smyth Clarke
of the Band.**

John Smyth Clarke of the Band at Dorchester.

Pemble bound.

francis Pembble bound him in 20^{lb}. to appear at the next Co't, to answer for his lewd, & reproachfull speaches.

The 27th. of the 5th. Moth. 1643.

p'sent.

M'. Governo'. M'. Dudley. M'. Bellingham. M'. Hibbens. Increase Nowell.

Rogers fined.

Nicholas Rogers for beeing distempered with wine, or strong drinke, was fined 2^{lb}. who being imprisoned is remitted to ten shillings.

**Scutt selling powder
to Indians, fined.**

William Scutt for selling powder, & shot to the Indians was fined 10^{lb}. to pay the halfe, when corne is payable, & the other halfe a 12. Moth. after, & Thomas Spaule is surety.

**Bacon stealing,
whipt. &c.**

Samuel Bacon for stealing wine, & other thinges, was censured to be severely whipped, & to make double restitution, to M'. Hull, & his Dame.

**Rogers consenting
to theft, fined &c.**

Robert Rogers was, for receiving stolen wine, being consenting in it, enjoyned to pay M'. Manning 32^l. & fined to the Countrey 40^l.

Tompson.

Miles Tompson for drinking with them, & beeing privy, was to pay M'. Manning 16^l.

Davies.

Toby Davies beeing privy, & drinking with them was to pay M'. Manning 10^l.

* So in the Library copy.

[284] Robert Wyar for drinking with Bacon, beeing privy to the taking of it, was enjoyned to pay M^r. Manning 4^s. Thomas Cooper for drinking, beeing privy to the manner of taking it, to pay M^r. Manning 4^s.

Tapping for theft, Nathaniel Tappin for breaking, breaking into several houses, and stealing severall thinges was censured to be whipped, & put to Goodman Gillam.

Langley Lin Constable. William Langley beeing chosen Constable of Linn, tooke his Oath.

At a Quarter Co't at Boston the 5th. of the 7th. Moth. 1643.

p'sent.

M^r. Deputie Gov^r. M^r. Dudley. M^r. Bellingham. M^r. Saltonstall. M^r. Pinchon. M^r. Bradstreet. M^r. Flint. M^r. Symons. M^r. Hibbens. Increase Nowell.

Clough fined. John Clough is fined 6^s. 8^d. for his absence when the Jury was called.

Golthrop fined. Ralph Golthrop was fined 3^s. for his distemp in drinke, & if he fayle in that againe, to have Corporall punishment.

Legacyes payd. It is Ordered that vpon the Letter of Atturney shewed heare in Co't, the Legacyes should bee payd by M^r. Smyth of Springfield to John Porter.

Wilson fornicacon fined. Gawen Wilson is fined twenty shillings for fornication, which M^r. Bozoon Allen vndertooke to satisfy in cotton-woole by M^r. Coitmore.

Napper discharged. George Napper was discharged, & committed to his Master, and to stay with him, soe much longer for the time hee hath bin absent.

Bairstow discharged. William Bairstowe appearing was discharged. Elizabeth Vane, for hir miscarriage in abusing one of the Magistrates, & M^r. Newgate, was committed at the pleasure of the Co't, & vpon hir humble Petition, & acknowledgment, was released.

James Hingham Const. ff Francis James chosen Constable of Hingham, tooke his Oath.

Gell whipt. running away. Richard Gell servant to ff Francis ffellingham of Salem, for running away was censured to be whipped, & sent to his Master, whom hee is to serve for the time hee hath lost.

Bartlet whipt. fined.
Day committed.
Gammage whipt.

John Bartlet for his swearing, theft, & drunkenes was committed to Prison, & censured to bee whipped, & fined twenty shillings. Stephen Day for his defrauding severall men was committed. John Gammage for his swearing, drunkenes, & other prophanes, & disorder, was censured to bee well whipped.

Arbitrator.

M^r. Symons, M^r. ffowle, M^r. Smyth, M^r. Dan, & Goodman Bendall, are appointed by consent to arbitrate betweene M^r. Humphrey & M^r. Robert Saltonstall.

Anker fined.

Thomas Anker payd 5^s for his distemp in drinke which^A

M^r. Pendleton
Sudbury.

M^r. Briant Pendleton is appointed to exercise the Company at Sudbury.

Watts fined.

George Watts for his distemp in drinke, swearing, & abusing the watch was fined 10^{lb}. & to pay or give sufficient security before hee bee released.

Serjt. Wardall
Exeter.

Serjt. Wardall is appointed to traine the Company at Exeter.

Lewis is enjoyned not to strike his servant John Lowe, & to set the said John Lowe free the 24th. of the 4th. Moneth 1644.

Lewis enjoyned.
[Lewis*] freed.

Administration
graunted.

Andrew Allen is graunted administration of his Brother Edward Allen his estate, who was killed the fourth of this p'sent Moneth.

Rogers whipt.

The eighth Moth twelfth. Nicholas Rogers for his drunkenes, and makeing others drunke with his strong-water, was censured to bee whipped. Swiniard Lewis for his beeing drunke, was fined ten shillings which hee paid.

Hart fined.

The 19. day. Israel Hart is fined twenty shillings for neglecting the watch, and enjoyned allsoe to pay the two witnesses, and the officer.

Wood Ordinary
keep.

The 20. day. Richard Wood is allowed to keepe an Ordinary at Roxbury.

Burges admonisht.

Thomas Burges for his distemper, was dismissed with an admonition to take heed of the like fayling.

White costs
graunted.

Thom. White is graunted 13^s. 4^d. against Andrew Belcher, for the 5^{lb}. of powder, & trouble he hath put him to.

* Lowe?

Bauldwin committed. Thomas Bauldwin for his miscarriage to his master, and striking him was committed to prison.

Wright fined. Robert Wright is fined twenty shillings for beeing twice distempered in drinke, or to sit an houre in the stocks, the next Market day at Boston.

Barnes fined. William Barnes for swearing is fined ten shillings.

Kinloah discharged. James Kinloah appearing for want of prooфе hee was discharged.

Lightfoot payd. It was Ordered that ff Francis Lightfoot should have paid him, by M^r. Edward Gately ten shillings, and by Joseph Armitage foure shillings, for the trouble, & attendance they caused to him.

[285] At a Co't at Boston the 26. of the 8th. 1643.

p^rsent. The Deputie Governo^r. M^r. Thomas ff Flint. Increase Nowell.

ffryar fined. Leonard ffryar was fined 10^o. Leonard ffryar James * Nelme, & David Wayne, all 3. are bound in 40^o. apeece to appeare at the next Quarter Co't to answer for excessive drinking, & distemper.

Garland to make restitution. John Garland for stealing severall things to the value of 3^o 6^d was enjoyned to make double restitu^tion.

Arnold Watertowne Const. Thomas Arnold beeing chosen Constable of Watertowne, tooke the Constables Oath.

ffryes will recorded. The will, & Inventory of William ffry, to the Recorder was delivered the ninth of the ninth Moneth, the widow beeing Executrix, and the wittnesses Thomas Bayly, & John Burges tooke their Oaths.

Dauling. Audley. Jeffrey. whipt. David Dauling, Mary Audley, & Jane Jeffrey, for their filthy, & vncleane practise, were censured to bee severely whipped.

At a Co't at Boston the 5th. of the 10th. Moth. 1643.

p^rsent. The Governo^r. M^r. Dudley. M^r. Winthrop Jun^r. M^r. Stoughton. M^r. Hibbens. M^r. ff Flint. Increase Nowell.

Capt. Chadwicke
fined.

Capt. Williams
fined.

Souldiers charges
disbursed.

vndertaking, which is twenty five pounds three shillings, & nine pence,
as p^ticulars.

Sudbury Mill fined.

The owners of Sudbury Mill are fined 3^d. 4^d. for

want of Scales, & Weights, and they are to provide

them, by the next Quarter Co't in paine of twenty shillings.

Dedham transcript
accepted.

Dedham delivered in a transcript of their Lands,
and was discharged; and for the way betweene
Dedham and Cambridge, they have time till the
fourth moneth next.

Painter stockt.

Thomas Painter for disturbing the Church of
Hingham, was censured to bee sett in stocks a Lec-
ture day, at Lecture time, except hee humble himselfe, and give the
Church satisfaction.

Ardway accused,
dismissed.

Abner Ardway beeing accused for dallying with
Mary Giles for want of proofe he was dismissed with
an admonition.

Read dismissed.
Williams whipt.
Porter considered of.

John Read for refusing to watch hee was dis-
missed, and the thing to bee considered. David
Williams for assaulting the watch was censured to be
whipped at Braintree, and warrant to George Read,
to stop out of the wages, to pay the witnesses. William Porter for
refusing to watch to bee considered of.

Archers whipping
respited.

John Archer for resisting his Master was cen-
sured to bee whipped, which is respited.

Too much wages
considered of.

James Loranson, John Callwell, Thomas Danfort,
John Gill, and his wife, with John Pope beeing
p^sented, for taking too much wages, to bee considered
of.

Johnson chosen
Leivt^tenant.

Edward Johnson beeing chosen Leivt^t of Woo-
borne is allowed of.

Merryfeild respited.
Beamis fined.

Henry Merryfeild beeing p^sented for lewd
speeches, is respited. John Beamis for freeing his

* See Winthrop II. 149, 150. See also Mass. Hist. Socy. Coll. 5th Ser., Vol. 1, p. 492.

- Mr. Broughton dismissed.** servant against Order, was fined ten shillings. M^r. Broughton is dismissed, hee beeing not respondent for it. John Barnard for his daingerous well, is fined 10^o. and enjoyned to make it safe with [in] 28. dayes, vpon paine of 40^o.
- Adams Braintree Constab.** Henry Adams beeing chosen Constable of Brain-tree, tooke his Oath.
- Golthrop whipt, or fined.** Ralph Golthrop for beeing againe distempred with drinke, was censured to bee whipped, which if hee bring sureties for his good behavio^r and pay twenty shillings, hee is discharged.
- Camp[il]l costs graunted.** Clement Campion is graunted three pounds 6. shillings, & 8. pence against John Rogers, for attaching him, & not prosecuting.
- Killmaster fined.**
Betts discharged. John Killmaster for beeing twice distempered with drinke was fined twenty shillings. John Betts appearing, for want of proofe was discharged. Thomas Weatherly for swearing, & quarrelling was fined twenty shillings, and to pay the wittnesses five shillings.
- Weatherly fined.**
- Hudson Ordinary Keep.** William Hudson Junio^r is allowed to keepe an house of enterteinment.
- M^r. Stileman discharged.** M^r. Stileman appearing about the way, for want of wittnesses, was discharged.
- Fryar. Nelme. Waine. forfeit.** Leonard Fryar, Jasp Nelme, & David Wayne forfeited forty shillings a peece for not appearing.
- Wright bound.** George Wright for his attempt to vncleanes with a married woman, is bound to his good behavio^r in forty pound, & to appeare at y^e Quarter Co't the first Moneth, and to pay the wittnesses.
- Knop ordinary keep.** William Knops wife is allowed to keepe an house of enterteinment.
- Osborne costs graunted.** Richard Osborne was graunted six shillings, 8. pence, against Thomas Turner for warning him to appeare, & not prosecuting.
- Capt. W^m discharged from Capteine Chadwicke.** Capteine Aaron Williams is discharged from Capteine John Chadwicke, in regard hee swore hee would kill him, as was testified.
- Attachm^t graunted.** Attachments were graunted against such as beeing warned did not appeare, as, Carew Latham, Richard Quick, Samuel Finch his wife &c.

M^r. Dunsters Petition granted.

M^r. Dunsters Petition is graunted him, & any two of the ffefeis to have power to dispose of thinges, and to receive, & pay the debts.

At a Co't at Boston the 25th. of the 11th. Moth. 1643.

p'sent.

The Governo^r. M^r. Dudley. M^r. Hibbens. M^r. flint. Increase Nowell.

Boston Const. fined.
Grubs fine dis-
charged.

Moulton bound.

for not returning his warrant. Thomas Grub not appearing upon the Jury is fined 5^d. this is discharged.

Thomas Moulton for his light carriage, is bound in ten pound to bee of good carriage, and to appeare at the next Co't.

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Barnard stealing.

Bridget Barnard for stealing from M^r. Stodder yards of ribben 3^d. 24. douzen of buttons, 4^d. from William Knop senior $\frac{1}{2}$ yard of bayes 1^d. 6^d. from Goodw. Button a peece of callico, 8^d. & from John Trotman 2. paire of shooes 6^d.

flint fornication
fined.

William flint beeing a married man haveing gotten a slutt with child is fined 20^{lb}. whereof 10^{lb}. is left to the Toune of Salem to bring vp the child with, and the other ten pound to the Publique, and to lye in Prison till hee pay it, or give security.

Co^rt Charges.

M^r. Treasuro^r was desired to cast vp Goodm. Turners bill, & if it be found right 53^{lb}. 15^d. 6^d. to allow it.

Weanes, Nelmes
fine in part
remitted.

David Weane is remitted 20^d. of the 40^d. forfeited for non appearance, to pay the other 20^d. which George Burden vndertook to pay, within a Month. Jasp Nelme is remitted 20^d. of his forty shillings forfeited, to pay the other twenty shillings.

Chadborne. Shaw.

William Chadborne appearing to answer John Shaw is discharged for the p'sent.

Watertowne Lands.
transcript respiteed.

The transcript of Watertowne Lands is respited till the Quarter Co't in the 4th. Moth. next.

Bentley stealing.
Restitution.

Mary Bentley for stealing [for stealing] M^r. Waltons jewell of 11^d. price, hee haveing the jewell againe and 9^d. 6^d. of hir wages shee is to pay 18^d. more.

Parker. Kendal. John Parker appearing vpon summons from John Kendall, & Kendall not prosecuting, John Parker is graunted six shillings, eight pence against Kendall.

Mason. Munnings, sealers. Bayly to Hill. The 2^d. of y^e 12th. Moth. Hugh Mason, and George Munnings, beeing p'sented for sealers, & searchers of leather. Richard Bayly put himselfe for 4. yeares to Abraham Hill, from the 13. of y^e 11. Moth. past.

At a Quarter Co't. at Boston the 5th. of y^e 1st. Moth 1644:
p'sent.

The Governo^r. The Deputie Gov^r. M^r. Dudley. M^r. Bellingham. M^r. Winthrop jun^r. M^r. Bradstreet. M^r. Hibbens. M^r. Flint. M^r. Symonds. Increase Nowell.

frost distempered fined. George ffrost beeing distempered with wine was fined ten shillings.

Hart distempered fine. John Hart beeing distempered with wine was fined twenty shillings.

Cooper { Gillam fined. Thomas Cooper beeing absent from the Grand Jury, when it was called, is fined six shillings, eight pence. Benjamin Gillam beeing absent from the Jury of Tryalls is fined five shillings.

Halsteeds Inventory. his eldest son Administrator. The Inventory of Nathaniel Halsted amounting to 213^{lb}. 13^s. 2^d. was p'sented, & it was ordered the eldest son should have 106^{lb} 10^s & the other 2. children, 106^{lb} 10^s, & the eldest son William is graunted to bee administrato^r.

ffryars forfeiture remitted for distemp fined. Leonard ffryar his forfeiture is remitted, & hee is fined 15^s. for distemper in drinke, & disorder.

Latham. Johnson. Bauldwin. fined. Carew Latham is fined 10^s. for his disorder, & dismissed. Edward Johnson jun^r for imoderate drinking was fined 5^s., & dismissed. John Bauldwin for excessive drinking, was fined 5^s., & dismissed.

Anne Clarke divorced. Anne Clarke beeing deserted by Denis Clarke hir husband, & hee refusing to accompany with hir, she is graunted to bee divorced; his refusall was vnder his hand, & seale, which hee gave before M^r. John Winthrop jun^r M^r. Emanuel Downing, M^r. Nehemiah Bo'ne, & Richard Babington, alsoe hee confesseth hee liveth in adultry with one, by whom hee hath had 2. & refuseth hir which hee had 2 children by.

- Wright discharged. George Wright appearing & testimony of his good carriage hee was discharged.
- Milam discharged. John Milam appearing, & declaring hee had the cloth of M^r Stoughton for 9^o. hee was discharged.
- Mr. Dutchfeild fined. M^r. Thomas Dutchfeild for distemper in drinke is fined 10^o. & admonished, & dismissed.
- Amedowne. Harris. Roger Amedowne was enjoyned to pay 2^l. 6^d. fees. admonished, & discharged. John Harris to pay two^l. 6^d. fees, was admonished, & discharged.
- Brittaine. Latham
for adultery con-
demned. James Brittaine beeing found guilty of adultery with Mary Latham, he was condemned to death. Mary Latham beeing found guilty of adultery with James Brittaine, she was condemned to death.*
- Taylor Rebecka the wife of John Taylor^A
- Betson. Stephen Betson for his sinfull attempt hee was bound to his good behavio^r, & enjoyned to appear y^e next Co't.
- Smith theft fined. Nathaniel Smith for his theft was ordered to pay Capt. Sedgwicke 49^o. & fined 20^o. for his intempate drinking.
- Stow, Concord
222 acres. Upon releasement of John Stow, Concord men are graunted Power to seize the 222. acres of Land, & hay, & debts due by any rent of the said Land.
- Moulton discharged. Thomas Moulton appearing was discharged.
- Richardson
sequestred from
ffryar. It was Ordered that John Richardson should be sequestred from Elizabeth ffryar, to whom he was married, y^e 12th. of the 8th. Moth., & neither to meddle with hir Person, nor estate, till thinges bee cleared by advice from England, & Christop. Lawson is to keepe 5^o. p weeke out of his yearnings, when his debts are paid.
- Cott Charges. Francis Smith is graunted his bill of 2^{lb}. 3^o. 11^d. for ferridge, & horse pasture, of Magistrates, & Deputies horses from the 25th. of y^e 2^d. Moth. 1642, to the 5th. of the 1st. Moth. ~~1643~~.
- [287] James, & John Merricke for drinking intemperately, and suffering others to drinke at their house, & selling wine, are fined 10^o. apeece, & to pay 2^l. 6^d. apeece, fees. Thomas Orton for intempate drinking is fined 5^o. & 2^l. 6^d. fees. Thomas Sheepe for intempate drinking is fined 5^o. & 2^l. 6^d. fees.

* See Winthrop II. 157.

Fawer. Dorchester
Constable.

The 23. of the 3^d. Moth. Barnabas Fawer tooke
the oath for Constable for Dorchester for the yeare
ensueing.

Richards. Read
Waymouth C^o.

The 30th. day. Thomas Richards, & William Read
beeing chosen Constables of the Toune of Waymouth
did take their oathes.

Johnson. Parks.
Committee
M^r. Cooke's estate.

John Johnson, & William Parks are appointed a
Committee to examine, by the former Commissionoⁿ or
otherwise, to find out, gather vp, & receive into their
custody, which hereby they are Authorized to doe, &
to certify how they find thinges about M^r. Samuel Cooke his estate.

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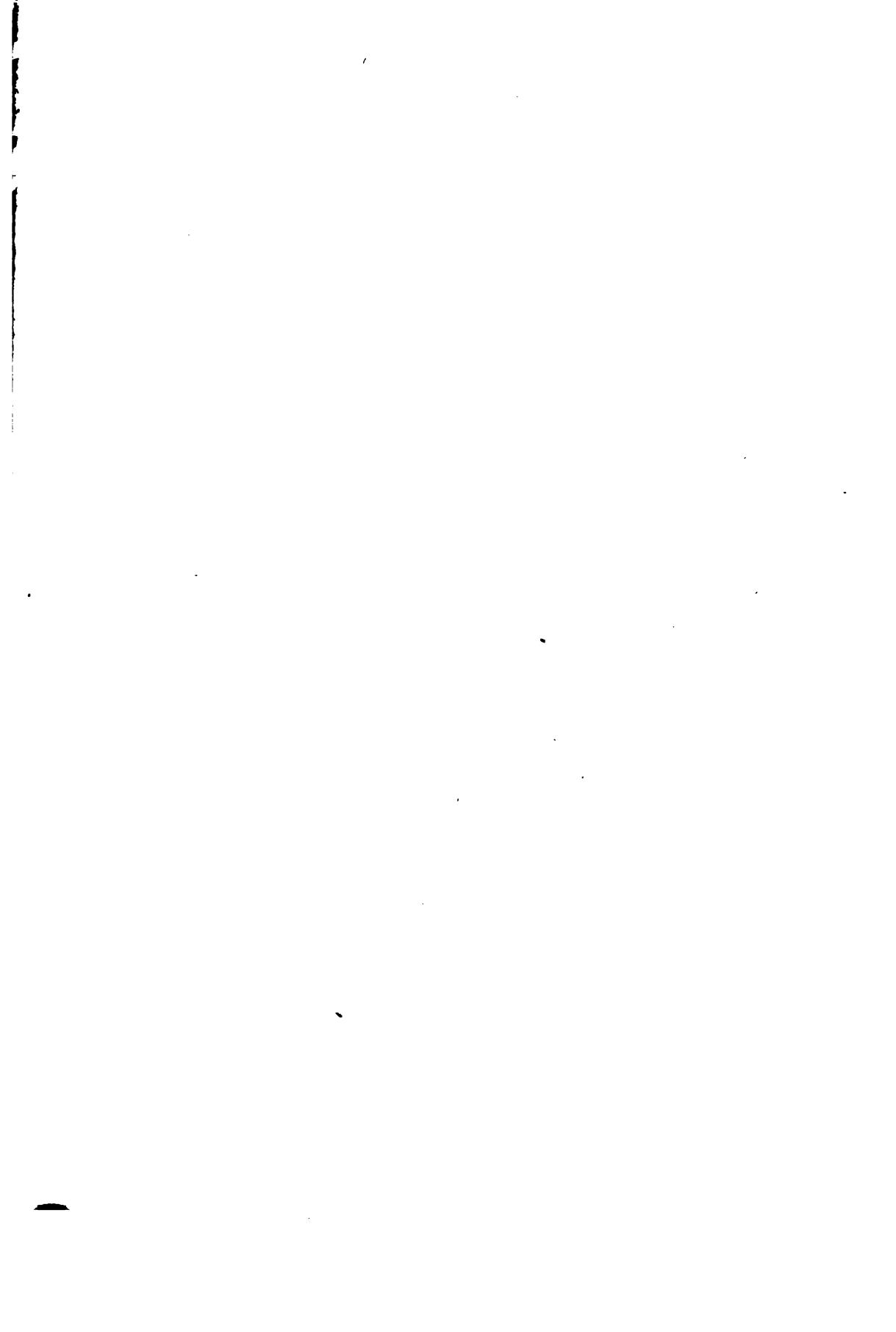
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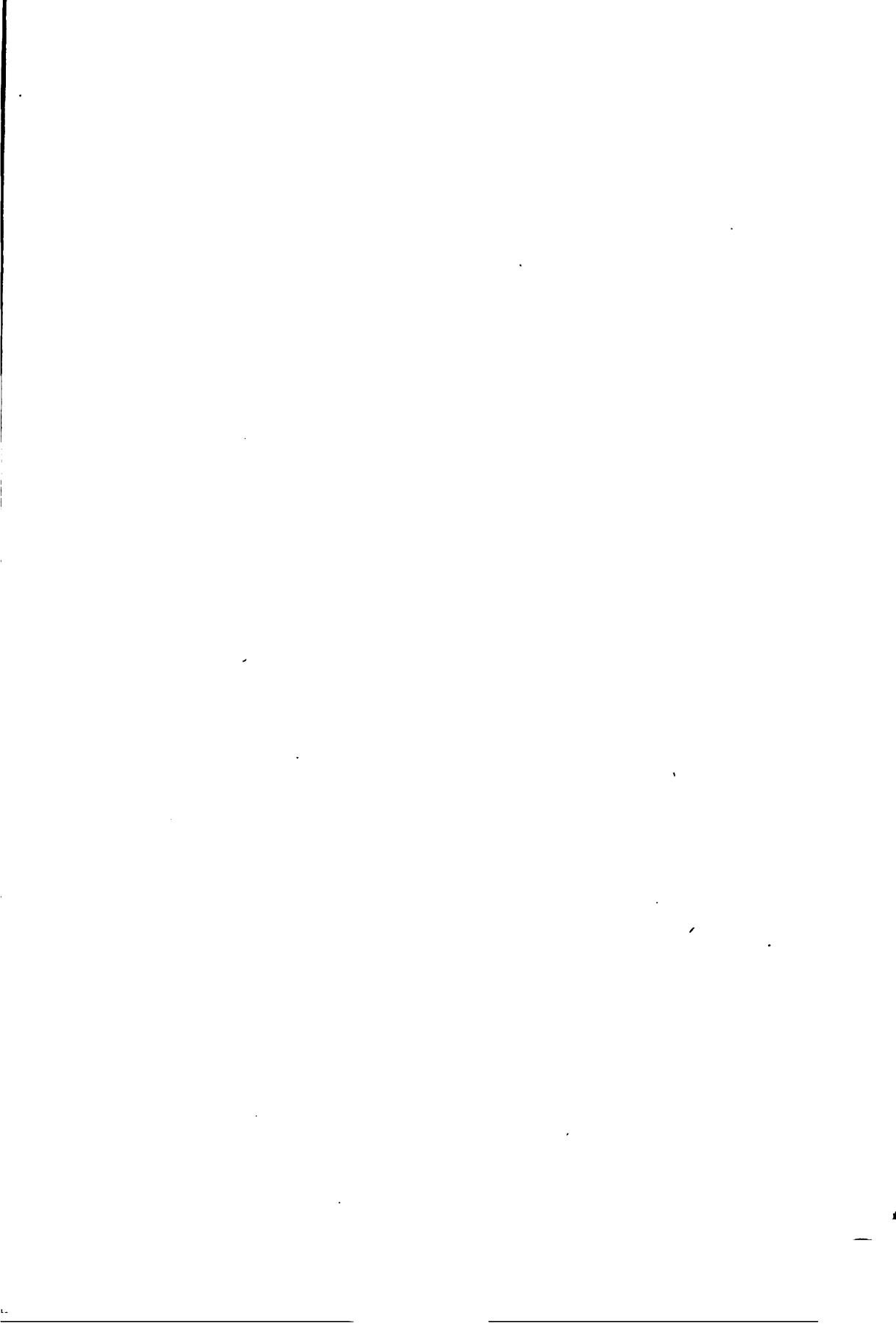
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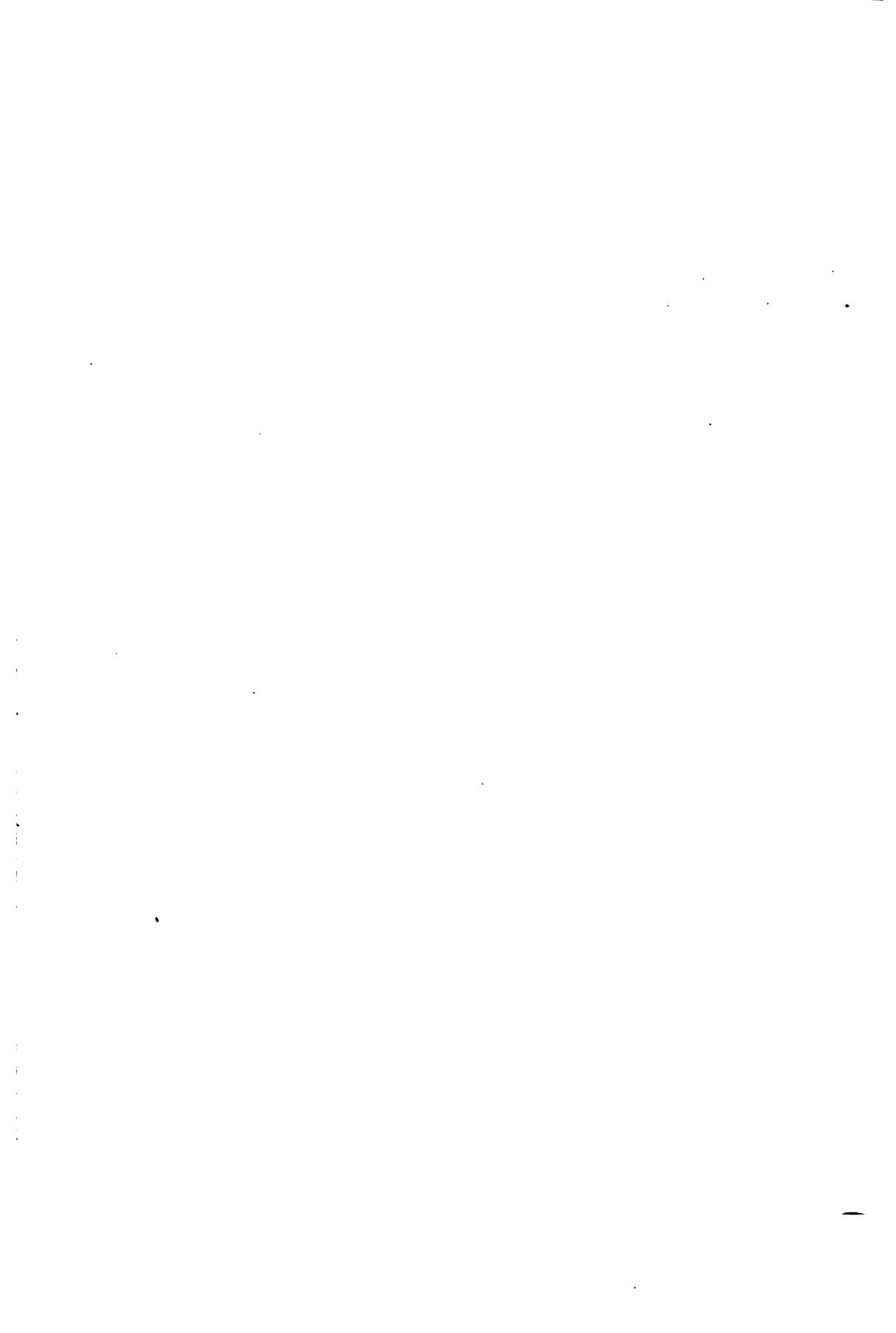
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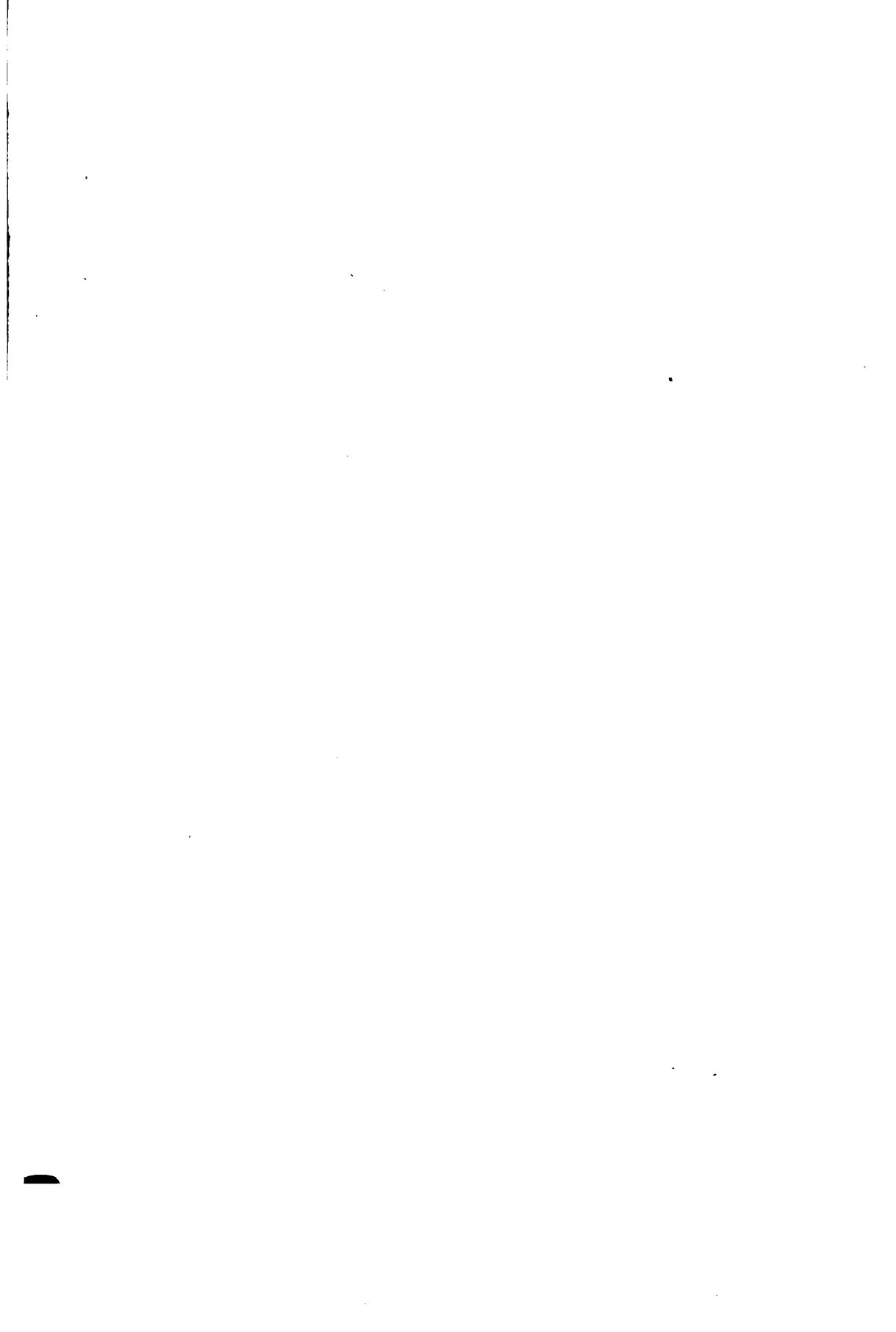
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